

Public Document Pack



ASHTON-UNDER-LYNE · AUDENSHAW · DENTON · DROYLSDEN · DUKINFIELD · HYDE · LONGDENDALE · MOSSLEY · STALYBRIDGE

SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 20 July 2022
Time: 10.00 am
Place: Guardsman Tony Downes House, Manchester Road,
Droylsden, M43 6SF

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies from Members of the Panel.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of the Panel.	
3.	MINUTES The Minutes of the meeting of the Speakers Panel (Planning) held on 8 June 2022, having been circulated, to be signed by the Chair as a correct record.	1 - 6
4.	PLANNING APPLICATIONS To consider the schedule of applications:	
a)	21/01348/FUL - LAND NORTHWEST OF SHEPLEY INDUSTRIAL ESTATE, SHEPLEY ROAD, AUDENSHAW	7 - 74
b)	22/00368/FUL - LAND SOUTH OF JOHN STREET, HEYROD, SK15 3BS	75 - 128
c)	20/00977/FUL - SIREN HOUSE, 437 STOCKPORT ROAD, HYDE, SK14 5ET	129 - 138
d)	22/00433/FUL - 21 RICHMOND CRESCENT, MOSSLEY, OL5 9LQ	139 - 154
e)	22/00530/FUL - NEWTON BUSINESS PARK, CARTWRIGHT STREET, HYDE	155 - 176
f)	22/00418/FUL - NEWTON BUSINESS PARK, CARTWRIGHT STREET, HYDE	177 - 198
g)	22/00380/FUL - 22 CHURCHBANK, STALYBRIDGE, SK15 2QJ	199 - 216
5.	APPEAL DECISION NOTICES	
a)	APP/G4240/Z/22/3293550 - 47 CLARENDON PLACE, HYDE, SK14 2ND	217 - 220
6.	URGENT ITEMS To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Benjamin Hopkins, Senior Democratic Services Officer, to whom any apologies for absence should be notified.

7. DATE OF NEXT MEETING

To note that the next meeting of the Speakers Panel (Planning) will take place on 14 September 2022.

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Benjamin Hopkins, Senior Democratic Services Officer, to whom any apologies for absence should be notified.

Agenda Item 3

SPEAKERS PANEL (PLANNING)

8 June 2022

Commenced: 10:00am

Terminated: 11:25am

Present: Councillor McNally (Chair)
Councillors: Affleck, Bowerman, Boyle, Dickinson, Owen, Quinn and Ricci

Apologies: Councillors Mills and Pearce

1. DECLARATIONS OF INTEREST

Member	Subject Matter	Type of Interest	Nature of Interest
Councillor Ricci	Agenda Item 5(f) Planning application: 22/00283/FUL – 3 Downing Close, Ashton-under-Lyne, OL7 9LX	Prejudicial	Applicant is known to the Member.

During consideration of the above item, Councillor Ricci, left the meeting and played no part in the discussion and decision making process thereon.

2. MINUTES

The minutes of the proceedings of the meeting held on 23 March 2022, having been circulated, were approved and signed by the Chair as a correct record.

3. AMENDMENT TO ORDER OF BUSINESS

In accordance with the Council's constitution, the Chair advised Members of a change in the order of business to the published agenda.

4. OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH (BAYLEY STREET AND BRIDGE STREET, STALYBRIDGE) (PROHIBITION OF WAITING) ORDER 2021

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods outlining objections received to the proposed prohibition of waiting order on Bayley Street and Bridge Street in Stalybridge.

It was explained that Cowell Norford Estate and Letting Agents on behalf of one of their tenants at Bayley Street Industrial Estate, Stalybridge, had approached the Council in March 2020. The tenant had reported to them that their access/egress to the Bayley Street Industrial Estate was regularly being obstructed by vehicles parking both opposite and adjacent to their entrance gates (located on Bridge Street) and at the junction of Bayley Street and Bridge Street. They argued that the obstructive parking at these locations was effecting their business and posing a hazard to other road users. Officers from the Council's Engineering Service had undertaken numerous site visits and concurred with these assertions.

In response to the issues outlined, the Council had advertised proposals in August 2021 to introduce new 'No Waiting at Any Time' restrictions along Bridge Street and Bayley Street.

Members were informed that during the consultation period a joint submission from several local businesses operating in the vicinity had been received objecting to the proposals. The businesses concerned were Charlestown Engineering, Charlestown Plumbing and Bathrooms, Buttylicious Sandwich and Snacks, Bridge Electrical Supplies, SH Automotive Garage and Charlestown Auto Centre.

The Highway's Manager advised that the businesses listed currently relied upon on street parking for both staff and customer parking on the sides and lengths of road where the new waiting restrictions were proposed. SH Automotive, Buttylicious, and Bridge Electricals had no access to off road parking. The Charlestown Industrial Estate did not have a private car park but as the number of staff exceeded the number of available car parking spaces, approximately 12-15 staff members currently parked on the street within the vicinity of the premises. Customers of the garage on Charlestown Industrial Estate also parked on the street.

SH Automotive emphasised that parking on the south side of Bridge Street adjacent to their premises and around onto Bayley Street was crucial to their business as an automotive repair garage, given that customer vehicles arrived on a daily basis.

Concerns were raised that the implementation of 'No Waiting at Any Time' restrictions directly adjacent to the businesses at the junction of Bayley Street and Bridge Street (Buttylicious and Bridge Electricals) would have a significant and detrimental effect on passing trade if on street parking was not available in front of the businesses.

Whilst the businesses acknowledged that some waiting restrictions were needed to maintain traffic flow, there was a suggestion that these be limited to the north side of Bridge Street, given that there was a mutual, informal agreement between the businesses that individuals would only park on the south side of Bridge Street. There was also a suggestion that larger vehicles accessing Bayley Street Industrial Estate could use the entrance on Dale Street, where 'No Waiting at Any Time' restrictions were already in place.

The Highway's Manager acknowledged that whilst it was desirable for staff and customers to be able to park within close proximity to their businesses, there was no legal entitlement to park on the public highway and no obligation on the Council to provide on street parking places. Ultimately, the highway was primarily for 'the passage and re-passage of vehicles'.

In addition to the access/egress issues caused by vehicles parking on the south side of Bridge Street and opposite the Bridge Street entrance to the Bayley Street Industrial Estate, parking around a junction caused a major hazard, reducing visibility for both motorists and pedestrians. Rule 243 of the Highway Code stated that drivers must not park within 10 metres of a junction, to allow motorists emerging from or turning into the junction a clear view of the road that they were joining.

The Council's Highway Department acknowledged the inconvenience that the proposed 'No Waiting at Any Time' restrictions would cause for local businesses and therefore had amended the proposals to reduce the restrictions on the west side of Bayley Street from 15 metres to 10 metres and from 55 metres to 50 metres on both sides of Bridge Street.

Members were advised that the proposed scheme, if approved, would be privately funded by Cowell Norford Estate and Letting Agents at a cost of £1,800.00.

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order: THE TAMESIDE METROPOLITAN BOROUGH (BAYLEY STREET AND BRIDGE STREET, STALYBRIDGE) (PROHIBITION OF WAITING) ORDER 2021 as follows:

'No Waiting at Any Time' restrictions on:

Bayley Street (west side)	From a point 10 metres north of its junction with Bridge Street to a point 10 metres south of that junction.
Bridge Street (both sides)	From its westerly junction with Bayley Street for a distance of 50 metres in a south westerly direction.

5. PLANNING APPLICATIONS

The Panel gave consideration to the schedule of applications submitted and it was:-

RESOLVED

That the applications for planning permission be determined as detailed below:-

Name and Application No:	20/00779/FUL Mr Elliott Wood
Proposed Development:	Erection of a pair of semi-detached houses with access/parking/landscaping. Land at 245 Birch Lane, Dukinfield, SK16 5AU
Speaker(s)/Late Representations	Mr Holmes and Cllr Lane addressed the Panel objecting to the application. Elliott Wood, the applicant, addressed the Panel in support of the application.
Decision:	That planning permission be granted subject to the conditions as detailed within the submitted report.

Name and Application No:	21/01093/FUL Legal and General Linked Pension Ex PTY Fund
Proposed Development:	Erection of two-storey building for indoor recreation (Use Class E(d)), including demolition of existing building; reconfiguration of existing car park, new substation; and associated works. Eat Inn Chinese Restaurant, Fold Way, Ashton-under-Lyne
Speaker(s)/Late Representations	Lucy Turner, on behalf of the applicant, addressed the Panel in support of the application.
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report. The Development Manager advised that the wording “to an adoptable standard” in sections c, d and f of condition 5 could be removed as the land was privately owned. In addition, condition 11 should refer specifically to Use Class E(d).

Name and Application No:	22/00214/FUL Watson Homes Ltd
---------------------------------	--

Proposed Development:	Demolition of existing building to create a four-storey building to provide 24 apartments, with associated offices, support space and parking at ground floor level. Former Stalybridge Police Station, Corporation Street, Stalybridge
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report. The Development Manager advised that condition 21 should state that 100% of the housing units be affordable.

Name and Application No:	22/00127/FUL Mr & Mrs Gwynne
Proposed Development:	New boundary wall to the northeast boundary between the property and St. Annes Road. The boundary wall is to be brick built with intermediate pillar heights of 2.85m, and a maximum wall height of 2.6m. 139 St. Annes Road, Denton, M34 3DY
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

Name and Application No:	22/00271/FUL Ms Lynsey Potter
Proposed Development:	Two-storey side extension to semi-detached property. 81 Clarendon Road, Hyde, SK14 2LJ
Speaker(s)/Late Representations	Gabriel Teolis addressed the Panel objecting to the application.
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

Name and Application No:	22/00283/FUL Mr Frank Tinnirello
Proposed Development:	Two-storey extension at rear. 3 Downing Close, Ashton-under-Lyne, OL7 9LX
Speaker(s)/Late Representations	The Development Manager summarised written objections to the application from Cllr Choksi, including issues relating to a previous planning control matter. Charlie Schofield addressed the Panel objecting to the application.
Decision:	Officer recommendation was to approve, subject to conditions.

	<p>Members considered that:</p> <p>The proposed extension would not meet the Council's adopted minimum privacy distances between the side elevation of the proposed extension and the rear elevations of properties fronting Manor Farm Close, causing harm to the outlook and privacy of residents. To allow the application would thus be contrary to policy H10 of the adopted Tameside Unitary Development Plan (2004) and policy RD5 of the adopted Tameside Residential Design Supplementary Planning Document which requires a distance of 14 metres between a blank elevation and habitable room windows in order to minimise overlooking and privacy to rooms and private gardens and therefore refused planning permission.</p>
--	--

Name and Application No:	<p>16/00054/OUT</p> <p>Mr & Mrs Shaw and Wainholmes (North West) Limited</p>
Proposed Development:	<p>Application under s106A of the Town and Country Planning Act 1990 (as amended) to vary the terms of the s106 agreement that accompanied outline planning permission granted for the demolition of all existing on site structures and the development of the site for residential dwellings (use class C3), landscaping, boundary treatments and vehicular access from Cartwright Street.</p> <p>Newton Business Park, Cartwright Street, Hyde</p>
Speaker(s)/Late Representations	<p>Caroline Payne, on behalf of the applicant, addressed the Panel in support of the proposal.</p>
Decision:	<p>That part 1 schedule 1 of the s106 agreement that accompanied outline planning permission 16/00054/OUT be deleted such that the Council enters into a supplemental s106 agreement with the applicant to this effect.</p>

6. APPEAL DECISIONS

Application Reference/Address of Property	Description	Appeal Decision
<p>APP/G4240/D/21/3289671</p> <p>103 Wilshaw Grove, Ashton-under-Lyne, OL7 9QT</p>	<p>Proposed single storey rear conservatory.</p>	<p>Appeal dismissed.</p>
<p>APP/G4240/D/22/3292542</p> <p>62 Stalyhill Drive, Stalybridge, SK15 2TT</p>	<p>Proposed retention of the existing rear garden level and boundary walls to rear and side with alterations to the wall corner to provide vehicular and pedestrian visibility splays; render to both the boundary wall and existing</p>	<p>Appeal dismissed.</p>

	single storey rear extension; indigenous hedging and landscaping.	
--	--	--

7. URGENT ITEMS

The Chair advised that there were no urgent items of business for consideration by the Panel.

8. DATE OF NEXT MEETING

RESOLVED

That the next meeting of the Panel would take place on 20 July 2022.

CHAIR

Application Number:	21/01348/FUL
Proposal:	Erection of timber manufacturing facility unit (Use Class B2); and five mixed use employment units (Use Classes B2, B8, E(g)(i)(ii)(iii)); with associated external storage and yard areas, parking and landscaping.
Site:	Land northwest of Shepley Industrial Estate, Shepley Road, Audenshaw
Applicant:	Howarth Timber Group
Recommendation:	Members resolve to grant planning permission.
Reason for Report:	A Speakers Panel decision is required because the application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The site subject of this planning application relates to a 2.4 hectare parcel of vacant land, which is located to the north west of the existing built area of the Shepley North Industrial Estate in Audenshaw.
- 1.2 In terms of the setting within the locality, the site sits at a low point when viewed from the surrounding area, with the River Tame running along the northern boundary of the site. The remaining area of Shepley Road Industrial Estate is located to the east; an area of open space, known locally as King George Playing Field, is located to the south and west of the site, whilst further employment land is also located to the north west.
- 1.3 Nearby residential development is positioned along the outer perimeter of the open space. Birch Grove and The Old Stables lie approximately 170m to the south. Mount Pleasant Street is located to the west, beyond the allotment gardens at a distance of approximately 120m whilst the nearest residential accommodation is located along Paradise Street. This is approximately 50m from the development site boundary.

2. PROPOSAL

- 2.1 This full application seeks planning permission for a new timber manufacturing facility unit (Use Class B2), alongside five mixed use employment units for general industrial (use class B2); storage or distribution (use class B8); or offices, research and development and industrial processes (use classes E(g)(i)(ii)(iii)), with associated external storage and yard areas, parking and landscaping.
- 2.2 Howarth Timber Engineered Solutions Ltd propose to utilise the timber manufacturing facility unit as their primary facility. The company would manufacture roof trusses, spandrel panels and posi-joists. Alongside the primary building they would have external raw material storage areas and finished product storage areas, with parking and turning areas. The five additional units would be let, with no end user yet identified, and externally would have loading and parking areas.
- 2.3 The timber manufacturing facility building would measure 72m by 39m, with a total height of 9.4m. It would include vertical insulated profile wall panel elevations, and timber cladding,

with brickwork at the lower level. The roof would consist of insulated profile panels. Doors, windows and rainwater goods would all be finished green aluminium. At ground floor, the building would have large areas for roof truss manufacture, alongside areas for spandrel cladding and framing, component saw areas, posi-joist press areas, an area for dry storage, and a large ancillary staff and office area. The building would include a smaller first floor area (measuring 30m x 8.5m) which would house ancillary staff facilities.

- 2.4 The second warehouse building, to comprise five units internally, would measure 83m by 30.7m, with a total height of 9.5m. It would include materials matching those of the timber manufacturing building as described above. No ground floor layout plans have been provided, however each of the units would include a smaller mezzanine floor area to house ancillary staff facilities.
- 2.5 The timber manufacturing facility would include a car park area and HGV loading area externally with turning circle, alongside an area for finished product storage and separate raw material storage. The five employment units would include a parking and loading area to the front, with a materials storage area to the rear, to be split with fencing. An overflow car park and an attenuation pond are proposed to the north of the site. A substation is also proposed.
- 2.6 Access and egress to the development will be taken through the Shepley North Industrial Estate, from Shepley Road.

3. PLANNING HISTORY

- 3.1 00/00309/OUT – Development of industrial floorspace within Classes B2 and B8 with ancillary B1 offices, associates access, car parking and landscaping (Outline) – Approved May 2003.
- 3.2 16/00972/FUL – Erection of one industrial building to create 3749m² of B2 General Industrial floorspace – Approved May 2017.

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 **Part 1 Policies**

- 1.1: Capturing Quality Jobs for Tameside People;
- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.9: Maintaining Local Access to Employment and Services;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 **Part 2 Policies**

- C1: Townscape and Urban Form
- E3: Established Employment Areas
- E6: Detailed Design of Employment Developments
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N6: Protection and Enhancement of Waterside Areas
- N7: Protected Species
- OL10: Landscape Quality and Character
- OL15: Openness and Appearance of River Valleys
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- 4.7 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.8 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.9 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.10 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect of private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.11 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a major development by neighbour notification letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 In response to the neighbour notification letters, there have been 68 letters of objection and 2 letters of support received. The concerns raised within the letters of objection are summarised below:
- The proposed development would create noise and disturbance which would impact upon neighbouring properties, particularly from use of tools, plant and machinery;
 - The vehicles, particularly HGVs, which would visit the site would lead to undue noise and disturbance;
 - The proposed development is overly large;
 - The site is currently utilised for recreation purposes, by dog walkers and for playing of sports, and should not be lost;
 - The proposed development could be better situated within an existing industrial use elsewhere;
 - The proposals would not deliver sufficient gain for local communities, in order to offset the proposed impact;
 - The proposed development would cause air pollution;
 - The proposed development would set an unwanted precedent;
 - The proposed development would unduly impact the highway network;
 - Additional pedestrian crossings for school children and others should be provided;
 - The proposed development would provide insufficient parking provision;
 - The development would be out of character with the surrounding area and developments;
 - Undue impacts upon biodiversity would occur as a result of the development;
 - The development would result in a loss to ecology and protected species;
 - Climate change may increase and worsen as a result of the development;
 - There is already a lack of green spaces in Audenshaw;
 - The development would negatively impact upon the adjacent playing fields;
 - The area and river bank should remain accessible to the public if the development goes ahead.

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority – No objections, subject to conditions requiring car parking and servicing to be implemented; a construction environment management plan; a scheme for electric vehicle charging points; a scheme for secured cycle storage; details of a street lighting design scheme; the access road to be constructed to base course level; and a staff travel plan to be provided.
- 7.2 Transport for Greater Manchester – No objections, subject to conditions requiring submission of a travel plan, including development, monitoring and implementation. Recommends upgrades to highway and footways to ensure adequate access for future users.
- 7.3 Environment Agency – No objections, but advises the applicant should prepare a flood emergency evacuation plan, noting part of the site lies within Flood Zone 2. Also provides advice regarding Environmental Permitting requirements and maintenance access.
- 7.4 Lead Local Flood Authority – No objections, subject to a condition requiring a surface water drainage scheme.
- 7.5 United Utilities – No objections, subject to a condition requiring a surface water drainage scheme.
- 7.6 Greater Manchester Ecology Unit – No objections, subject to conditions requiring submission of a landscape environmental management plan; a scheme for fencing between the site and the river; a badger survey and a method statement as to how they would be protected; tree protection measures; no works during the bird nesting season; a method statement for invasive species; and design of the attenuation pond proposals.
- 7.7 Environmental Health – No objections, subject to conditions restricting HGV deliveries during night time hours; noise mitigation measures to be implemented; requiring acoustic properties of plant and machinery to be submitted; and restrictions on construction working hours.
- 7.8 Contaminated Land – No objections, subject to conditions requiring a phase 1 and a full site investigation strategy to be undertaken, followed by an options appraisal/remediation strategy and verification plan; and that recommended remedial measures be implemented prior to use.
- 7.9 Coal Authority – No objections. Notes that the site does not lie within the Development High Risk Area, and therefore no further information is required.
- 7.10 Arborist – Notes that the site consists primarily of low value scrub and self-seeded trees and vegetation, which is not worthy of retention. Area G2, classed as higher value, is to be largely retained. The soft landscaping plan is considered to be sufficient.
- 7.11 Forestry Commission – No ancient woodland is affected by the proposals. No comment to make.
- 7.12 Greater Manchester Archaeological Advisory Service – No objections. There are no known or potential sites affected by the proposal, and therefore no further archaeological mitigation is required.

8. ANALYSIS

- 8.1 Section 6 of the NPPF is entitled “Building a strong, competitive economy”. Paragraph 81 states that ‘planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.’

- 8.2 Despite the site being currently undeveloped, it is allocated as an Established Employment Area, as per Policy E3 of the Unitary Development Plan (UDP). The Council recognises that there is at present a shortage in the supply/allocation of employment land within the borough. This will be partly addressed within the emerging spatial plan, Places for Everyone, and following its adoption the formation of the Local Plan. The evidence submitted as part of the Greater Manchester Spatial Framework and Places for Everyone highlighted that Tameside has the lowest availability of industrial and warehousing space within Greater Manchester. Industrial and warehousing development has an important role to play in addressing the economic disparities across Greater Manchester and, in particular, to boost the competitiveness of the borough within the northern areas. It is therefore material to the decision.
- 8.3 Policy E3 states that in Established Employment Areas, the Council will permit development for employment purposes. The erection of the proposed buildings would yield direct economic outputs and the creation of the employment floor space would provide direct employment opportunities. The investment within the site is welcomed and this would compliment the wider employment offer within the established Shepley Industrial Estate. The investment is welcomed as it fully accords with the strategic objectives of the Council, current UDP policies and those of the emerging Places for Everyone strategic plan.
- 8.4 The principle of development is considered to be acceptable, the proposals would be compliant with the site allocation and meet the test of policy E3 'Established Employment Areas'.
- 8.5 Noting that the five mixed use units would include Class E(g), which allows office use, research and development, or industrial processes, or a combination of the three, it is appropriate to impose a condition restricting those units to the uses applied for i.e. use classes B2, B8 or E(g). If not imposed, the units could be used in future for any use within Use Class E, which includes main town centre uses amongst others, and may be further intensive than the uses applied for. This would require a further assessment as to its acceptability in this location, and should therefore require a separate planning application.

9. DESIGN & LAYOUT

- 9.1 Policy E6 'Detailed Design of Employment Developments' sets out a number of design based criteria to be applied in the consideration of new employment development. Policy C1 promotes that new development responds positively to and with understanding of its local context.
- 9.2 The site currently consists of grassland including trees and bushes, with dense tree and shrubbery coverage to the edges. It is believed that the site has in the past been accessed for informal recreational purposes.
- 9.3 The site is located to the edge of and accessed via the existing Shepley Industrial Estate. The development would be viewed from public vantage points primarily along Mount Pleasant Street, Paradise Street and Arnfield Road to the west and north of the site, and from the King George Playing Field and allotments (situated to the east of Mount Pleasant Street) to the west and south. Dense tree cover and landscaping forms a border between the recreation ground and the site, however it is acknowledged that this provides less valuable coverage during winter months. Notwithstanding, it is considered that the design of the buildings would broadly follow the established character of the industrial estate to which it would extend. The setting and overall character of the locality is influenced by the presence of the existing employment units and the development would be seen in the context of this backdrop to the south east, and also that of the Ashton Wastewater Treatment Works to the north east. It is noted that separation would be provided from the boundaries of the site, with the proposed

buildings set in, and that the site is of a relatively low position when viewed from the south and west.

- 9.4 The development would also be set in from the boundary with the River Tame, providing a separation distance between the site and the river, assisting with protecting the river valley and its character. This area would be landscaped, and is acceptable given the positioning of the buildings they would be viewed in the context of, other industrial development. The level of harm upon the character of the river valley is therefore not considered significant.
- 9.5 The development would comprise of a large warehouse building, with vertical insulated profile wall panels and timber cladding to its main elevations. The latter would break up the mass of the building, which would stand at 9.4m in height. The principal elevation would also include brickwork at ground floor level. The roof of the building would be constructed in insulated profile panels to match the main external elevation. In order to provide consistency across the building, the doors, windows and rainwater goods would all be finished in a green aluminium. The development would also comprise a second warehouse building, with matching materials to those described above, but which would be split internally into five units, and measuring 9.5m in height. Fenestration, particularly windows, would be limited on each of the buildings; in particular, they would be situated primarily around principal elevations and entrances.
- 9.6 The overall height and scale of the buildings are considered to be acceptable. Levels within the site are flat, and are set slightly raised over the Shepley Industrial Estate from which access is gained. The warehouse buildings would appear as a natural addition to the established employment park. The design and scale would not result in an overbearing impact on the character of the surrounding area, from which there would be relatively limited views given the landscaped buffer to the west.
- 9.7 The site is presently covered with vegetation and tree and landscaped scrub. The edges of the built development would include native wildflower planting, and adjacent to the river would include aquatic/riverbank planting. The northern area of the site would be broadly retained as a landscaped area, supported with additional woodland planting.
- 9.8 The design is acceptable meeting the criteria of policy E6. The buildings are deemed to be complimentary to existing industrial units within the adjacent estate and would not detract from the appearance of the locality. The buildings take a simple appearance similar to that of adjacent buildings, and the addition of brick work and timber cladding will provide a degree of interest to the overall appearance of the development. Landscaping to the edges of the site surrounding the buildings will provide a degree of screening for more sensitive receptors where the buildings will assimilate successfully into the site.

10. RESIDENTIAL AMENITY

- 10.1 The nearest residential properties are those located to the west on Paradise Street. These properties occupy a higher elevation to the site. They are situated over 55m from the edge of the site. Those properties do not face or back onto the application site, however some of the properties on Mount Pleasant Street further to the west, and Birch Grove and The Old Stables to the south, which are all a considerably further distance from the site, would have views over the site. The existing dense tree cover and landscaping forms a border between the recreation ground and the site, however, as earlier, it is acknowledged that this provides less valuable coverage during winter months. Much of this landscaped buffer is outside of the applicant's control and therefore would not be impact upon by the proposals. This would therefore continue to provide a degree of mitigation associated with vegetation screening which would be retained.

- 10.2 Given the distance between the residential properties and the site, it is not considered that the development would cause any oppressive or overbearing impacts upon neighbouring residential properties. The buildings would measure 9.4/9.5m in height, which is not excessive given the established context of existing industrial units within the employment park, and noting that the site is set at a lower level than the residential dwellings situated closest to it. Openings are relatively limited to the elevations facing residential properties, aside from ground floor pedestrian servicing doors, and windows within the roof. Given this, combined with the distance between the two as mentioned previously, the proposals would not result in any unreasonable overlooking into or overshadowing of those neighbouring properties concerned.
- 10.3 Save for a roller shutter door to the side elevation of the main building to serve Howarth Timber, both of the buildings would include only fire escapes to their southern and western elevations, facing towards neighbouring residential properties, which would result in minimal overlooking towards neighbouring properties.
- 10.4 The main loading area, including HGV turning circle, and car park area serving the proposed timber facility would be situated immediately to the north (frontage) of the main building. It would be largely screened from neighbouring residential properties by the main building and by the industrial units to be situated to the west. Similarly, the loading and parking areas to those latter units would be situated to the east, screened by the building itself. Material storage is proposed along the western boundary, and raw material storage to the south western boundary, which is not considered the noisiest of activities, although it is appreciated that some noise would occur from transporting the materials and raw materials to and from these locations.
- 10.5 The Council's Environmental Health (EH) officers reviewed the application, and initially raised concerns regarding noise and disturbance associated with HGV deliveries to the site, as a result of information included within the Noise Impact Assessment. The EH officer noted that the entrance to the main Shepley North Industrial Estate, which would also serve as the vehicular access to the proposed development, is situated close to residential properties along Birch Grove. The applicant had indicated that HGV deliveries may take place (including arrivals and departures) between the hours of 4-6am, on any day of the week. The EH officer noted that this would take place out of hours which are considered reasonable to potentially disturb the sleep of residents residing in those properties. This issue would be exacerbated due to the route the HGV's would take into the site, over a relatively uneven road surface and speed humps, which would increase noise. The EH officer has therefore recommended that HGV arrivals and departures be restricted between the hours of 0600 and 2300, in order that undue disturbance would not occur during night time or early morning hours. This condition is recommended.
- 10.6 The EH officers did not recommend that activities within the site, and general operations of the site, be restricted, and therefore operation of the development between the hours of 06:00 and 20:00, as indicated by the applicant, would be considered to be acceptable.
- 10.7 The Noise Impact Assessment submitted by the applicant provides a number of recommended mitigation and management measures in order to control noise levels within the site. The EH officer has recommended that each of these be implemented prior to first use of the development. Such a condition is recommended. Furthermore, it is considered necessary to assess any plant and machinery which would be required as part of the development, in order to ensure sufficient acoustic properties to minimise further noise and disturbance, and a condition is recommended requiring such details to be provided upfront.
- 10.8 It is also noted that the development would have the potential to cause undue disturbance during a construction phase. A condition is recommended restricting construction work to daytime hours only.

10.9 Following the above assessment, the proposed development would not result in an adverse impact on the residential amenity of any surrounding neighbouring properties, subject to the recommended conditions adequately controlling noise and disturbance from the proposed development.

11. HIGHWAY SAFETY & ACCESSIBILITY

11.1 The proposed access into the site would be taken from within the Shepley North Industrial Estate, to the east, which in turn utilises an existing access off Shepley Road.

11.2 The applicant has submitted a Transport Assessment, which calculates the anticipated trip generation from the proposed development. The vehicle trips generated are expected to be 26 two way trips in peak periods. The LHA confirm that these expected trips are considered to be relatively minimal, and that there is sufficient capacity on the local network to accommodate the associated trips without any detriment to safety.

11.3 The existing access and egress from the development is satisfactory, meeting the LHA requirements for maximum gradients, and the visibility splays available comply with the technical requirements. All types of vehicles proposed could safely manoeuvre within the site and exit in a forward gear, and all private access roads are to be constructed to an adoptable standard, which further ensures safe access.

11.4 In terms of parking provision, the development proposed a total of 90 car parking spaces to serve the development, which is acceptable to the LHA and largely consistent with Policy T10 of the UDP. Cycle parking provision is also proposed, alongside electric vehicle charging facilities. These are important matters promoting sustainable transport, and can be controlled by means of conditions.

11.5 Amendments have been sought in order to provide a pedestrian route between Shepley Road and the entrance to the site, leading into the site. Ideally, a 2m wide footpath would be provided in this location, however due to access constraints this is not possible. Through discussions with the applicant, a lined pedestrian pathway would be accommodated, with street lighting. An amended location plan was submitted to ensure the entire access is positioned within the site in order that the pathway could be provided, and is recommended to be dealt with by means of a condition.

11.6 In relation to the internal footway to be provided, the LHA have recommended that facilities for pedestrians and cyclists be improved close to the site, in order to encourage sustainable transport links. Within the vicinity of the site lies Jet Amber Fields, which is accessed via Shepley Road and Broomstair Road and which requires improvement to surfaces and signage; and separately Footpaths AUD/14 and AUD/15, which lead directly off Shepley Road and which require similar improvement. The LHA requested a commuted sum of £20,000 in order to contribute to such works, which the applicant has agreed to. These measures combined would encourage future users of the site to access the site sustainably, rather than the development becoming reliant upon the private car.

11.7 It is considered reasonable to impose conditions requiring the laying out of the vehicle parking spaces and servicing areas as indicated on the submitted plans prior to the operation of any part of the development plot and that details of an internal street lighting scheme are submitted and approved. It is also reasonable to condition the submission and approval of a management plan relating to the construction phase of the development.

11.8 TfGM recommend that the application should be accompanied by a staff travel plan, to encourage sustainable travel choices, with use of incentives and a clear monitoring regime with agreed targets. They recommend that a travel plan should include tailored measures to overcome specific barriers or take advantage of opportunities presented by the site to

encourage staff to use sustainable modes of travel for appropriate journeys. It is recommended that further development, implementation and monitoring of such should take place, and a relevant condition is recommended.

- 11.9 In concluding highways matters, the proposed development would not result in an adverse impact on highway safety in terms of trip generation, the safety of the access arrangements or car parking capacity, subject to securing a package of pedestrian connectivity improvement measures as detailed earlier. The proposals would not result in a detrimental impact on highway safety. The development thus complies with national and locally adopted policy as a result.

12. DRAINAGE AND FLOOD RISK

- 12.1 The applicant has submitted a Flood Risk Assessment (FRA). The site is primarily located in Flood Zone 1 (at a lower risk of flooding), but parts of the site including the point of access to the industrial estate is within Flood Zone 2, so at a greater risk of flooding. None of the proposed buildings are situated in Flood Zone 2. The site is presently an undeveloped area, with established vegetation.
- 12.2 The FRA demonstrates that surface water would be attenuated and discharged to the River Tame. Infiltration has been discounted. The Lead Local Flood Authority (LLFA) has agreed with this approach, noting that due to the proximity of the River Tame, any infiltration assumedly enters the river. The maximum discharge of the proposed surface water drainage system would be utilised as the existing greenfield run-off rate, and outfall into the River Tame is considered acceptable, with attenuation provided by a pond to the north, supported by oversized pipes and an offline attenuation tank.
- 12.3 The FRA proposed permeable paving on the site, however it is noted that no foul drainage proposals have been demonstrated, and no further surface water drainage controls are assessed. Both United Utilities and the LLFA noting that the application does not include full details of a sustainable drainage scheme (SuDS), and no details of foul drainage and use of permeable paving throughout the development which would aid with disposal of surface water. Neither body raises objections, and therefore a condition requiring a full sustainable drainage scheme to be submitted prior to commencement of development is recommended, in order to ensure this is satisfactory to the LLFA.
- 12.4 The Environment Agency recommend that the applicant prepares an emergency evacuation plan, should the access be compromised by flood water. An informative is therefore recommended advising the applicant of this responsibility. Furthermore, the EA note that an Environmental Permit may be required, for any proposed works or structures within eight metres of the top of the river bank, and in order to allow discharge of surface water to the river. An informative advising the applicant of this responsibility, controlled under separate legislation, is recommended.
- 12.5 Subject to imposition of a condition requiring a sustainable drainage scheme to be submitted prior to works commencing, it is considered that the proposals have demonstrated they can be implemented without undue flood risks, and to ensure that an appropriate amount of attenuation can be achieved to account for climate change.
- 12.6 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity, and thus complies with the development plan in this regard.

13. GROUND CONDITIONS

- 13.1 The site falls outside of the Coal Authority's defined Development High Risk Area. As such, a Coal Mining Risk Assessment is not required. The Coal Authority have however advised that their standing advice should be followed, in the interests of public health and safety. An informative is recommended advising the applicant of this.
- 13.2 The Environmental Protection Unit (EPU) have reviewed the submitted phase 1 contamination report, which identifies potential sources, pathways and receptors at the site and pollutant linkages. Potential sources of contamination identified include made ground, asbestos and ground gas. The submitted Desk Study Report advises that ground investigations should be undertaken to determine the existence of contamination at the site. The EPU raise no objections to this approach, and recommend that a condition is attached to any approval which would require a full site investigation strategy to be undertaken, followed by an options appraisal/remediation strategy and a verification plan, in order to address any unacceptable risks posed by contamination. The condition would ensure any recommended remedial works and measures be implemented prior to first use.
- 13.3 The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

14. LANDSCAPING & ECOLOGY

- 14.1 It is considered that the site has developed ecologically over time, and further broadleaved woodland has developed. The woodland is an important habitat in a local context, and the development proposal would result in substantial losses to this woodland. Greater Manchester Ecology Unit (GMEU) initially considered that proposed landscaping enhancements would not provide sufficient compensation for losses of self-natural habitat. GMEU initially recommended that the applicant applied the DEFRA Biodiversity Metric to the scheme, in order to objectively assess habitat losses and gains. The applicant subsequently provided further detail of habitat creation and habitat enhancement, with efforts made to accommodate nature conservation on the site. In terms of habitat creation, hedgerows, pond and species-rich grassland is proposed, and extensive control of invasive plant species is proposed with regards to habitat enhancement. Although noted that the scheme would still result in losses to area-based habitats, there would be a gain in linear habitats (i.e. hedgerows), and GMEU consider that the additional detail is acceptable. GMEU recommend that the proposed habitat creation, enhancement and management measures proposed are controlled through a Landscape and Habitat Management Plan, which would be subject to a condition.
- 14.2 The application proposes the removal of primarily self-seeded trees and vegetation. Consultation with the Council's Arborist has confirmed that these trees are of a lower amenity value, and are not considered worthy of retention. Those trees which are considered of a higher amenity value (within Area G2 as indicated on the submitted plans) are to be largely retained, as they partially screen the site and provide a high amenity value alongside those trees situated within the landscaped buffer (which itself lies outside of the site). The Arborist considers that adequate protection measures for the trees to be retained are proposed within the submitted information, however a condition is recommended to ensure these measures are implemented.
- 14.3 The Council's Arborist has reviewed the proposed landscaping scheme, and considers that the soft landscaping plan indicates sufficient tree coverage, and landscaping including appropriate species and planting specifications, to ensure a good level of landscaping surrounding the proposed buildings. A condition is recommended to ensure this is implemented, and that it is maintained as such for at least five years should species die within that time period.

- 14.4 It is noted that the site is not designated for its nature conservation value, and it is not adjacent to or close to any designated sites. Notwithstanding, the River Tame forming the northern boundary of the site is an ecological asset of Borough-wide importance and forms an important wildlife corridor. GMEU consider that the proposed development would not directly affect the river or its banks (aside from a small area to allow for installation of surface water drainage), and a wide landscape buffer appears to have been retained between the built development and the river.
- 14.5 GMEU note that the woodland to the south and west of the site is also of local ecological value, but this area is on steeply sloping land and will not be directly affected by the proposals. Echoing the comments of the Arborist, GMEU recommend that trees to be retained should be suitably protected.
- 14.6 Given the time passed since the ecology surveys were undertaken, and subsequent time which may pass should the development not be begun imminently should permission be granted, it is recommended that a further, precautionary survey of the site for the possible presence of badger setts should be carried out. This is important given badgers are mobile in their habitats and can establish new setts quickly. Furthermore, GMEU recommend that a comprehensive method statement, to describe how harm to badgers will be avoided during the course of any development, should be submitted and implemented in full once agreed. Relevant conditions are recommended to ensure these measures are complied with.
- 14.7 With regard to the wider layout of the site, GMEU recommend that the attenuation pond (shown as part of the landscape and drainage proposals) could successfully enhance the wildlife value of the site, however such features do require careful design if they are to function effectively as both a SuDS feature and as a resource for wildlife. A detailed design of this feature is therefore recommended to be submitted, taking into account the potential of the feature to support wildlife. GMEU also recommend that suitably robust fencing should be erected between the development site and the buffer zone adjacent to the river, to prevent encroachment. Conditions are recommended in this regard.
- 14.8 The submitted information notes that invasive plant species are present within the development site, particularly Himalayan Balsam and Japanese Knotweed, and further surveys are necessary to establish their full extent and distribution. A method statement should then be followed in order to outline measures to control their spread during the course of development. A condition is thereby recommended.
- 14.9 Should the various conditions outlined above be attached to a planning approval, the development would ensure an adequate level of landscaping and no undue impacts upon ecology. The application is thereby considered acceptable in these regards.

15. DEVELOPER CONTRIBUTIONS

- 15.1 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 57 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 15.2 The applicant will be required to make a contribution to the provision of footpath and cycle infrastructure upgrades within the local area, in accordance with policy T13 of the adopted UDP. A contribution of £20,000 is to be secured towards improvements to footpaths AUD/14 and AUD/15, and separately Jet Amber Fields.

- 15.3 The development contribution calculation takes into account the level of works judged necessary to upgrade the pedestrian and cycle facilities listed above. The upgrades to the pedestrian and cycle facilities would improve access to the proposed development, and would encourage sustainable transport links, reducing reliance upon the private car.
- 15.4 The footpath and cycle contributions would meet the CIL Regulations in that they are necessary to make the development acceptable in planning terms (given the limited access as at present), directly related to the development (as the close proximity ensures that future users are likely to use these facilities) and proportionate in that the sum is based on the size of the development.

16. CONCLUSION

- 16.1 The application proposes the erection of development that will generate employment on a site which is allocated for employment uses in the Unitary Development Plan. The economic benefits associated with investment and subsequent employment opportunities carry significant weight and the principle of the development is acceptable.
- 16.2 The development would be viewed within the context of the existing industrial estate adjacent, and given the lower level of the site to surrounding residential and recreational development and the good levels of landscaping surrounding, it would not unduly impact upon the character of the area. The development would include a buffer to the River Tame and would protect the character of the river valley.
- 16.3 The proposal would not to be significantly detrimental to residential amenity, subject to the imposition of conditions.
- 16.4 The development would not cause undue impacts to highway safety, and would be considered acceptable subject to the imposition of conditions.
- 16.5 There are no objections to the proposals from the statutory consultees in relation to the proposal which is considered to be an efficient use of an allocated site.
- 16.6 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

RECOMMENDATION

Grant planning permission subject to the prior signing of a Section 106 Legal Agreement and following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.
 - Location plan (dwg no. 2083.001, rev. A);
 - Proposed elevations – main warehouse (dwg no. 2083.024, rev. C);
 - Proposed elevations – warehouse block (dwg no. 2083.028, rev. C);
 - Proposed first floor plan – main warehouse (dwg no. 2083.023);

- Proposed floor plans – warehouse block (dwg no. 2083.027, rev. C);
- Proposed ground floor plan – main warehouse (dwg no. 2083.022, rev. B);
- Proposed sections (dwg no. 2083.025, rev. B);
- Proposed site sections (dwg no. 2083.026, rev. C);
- Proposed site levels (dwg no. 2083.017, rev. B);
- Proposed site plan (dwg no. 2083.021, rev. F);
- Proposed bin storage (dwg no. 2083.040).

Reason: In the interests of the visual amenities of the locality and in accordance with polices of the adopted TMBC UDP.

- 3) With exception of site clearance and demolition no above ground development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and river valley, in accordance with polices OL10: Landscape Quality, OL15: Openness and Appearance of River Valleys and Character and C1: Townscape and Urban Form

- 4) Prior to the first use of the development hereby approved, details of all the means of enclosure on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of enclosure shall be provided in accordance with the approved details before the development permitted is brought into use and shall be retained thereafter.

Reason: In the interests of the visual amenities of the locality and river valley, in accordance with polices OL10: Landscape Quality, OL15: Openness and Appearance of River Valleys and Character and C1: Townscape and Urban Form

- 5) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:

1. A site investigation strategy, based on the submitted ARP Geotechnical Limited Stage 1 Geo-environmental Desk Study Report (dated 27.08.2021, ref: HWH/02r1), detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
2. The findings of the site investigation and detailed risk assessment referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
3. Based on the site investigation and detailed risk assessment referred to in point (2) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
4. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (3) have been fully implemented including any requirements for long term monitoring and maintenance.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

- 6) Prior to use, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have been fully implemented in accordance with the approved remediation strategy shall be submitted to, and approved in writing by the Local Planning Authority (LPA). If during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed with the LPA), shall be undertaken until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

The discharge of this planning condition will be given in writing by the LPA on completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

- 7) With exception of site clearance and demolition, and notwithstanding the submitted plans / information, no further development shall commence until a detailed surface water drainage scheme and associated strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall include:

- Investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof), to include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- A restricted rate of discharge of surface water, if infiltration is discounted by the investigations;
- Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- Be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards;
- Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;
- Demonstrate that foul and surface water shall drain on separate systems;
- Shall include details of ongoing maintenance and management. The development shall be completed and maintained in full accordance with the approved details.

The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure proper drainage of the area, in accordance with Policy U3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 8) Prior to the first use of the development hereby approved, a lighting scheme to provide street lighting (to an adoptable standard) on the private access road both within the development site, and between the site and Shepley Road shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed and completed prior to the first use of any part of the development, and shall be maintained as such thereafter.

Reason: In the interest of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

9) Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of:-

- Wheel wash facilities for construction vehicles;
- Arrangements for temporary construction access;
- Contractor and construction worker car parking;
- Turning facilities during the remediation and construction phases;
- Details of on-site storage facilities.

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.

Reason: In the interest of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

10) Prior to the first use of the development hereby approved, details of secured cycle storage to be installed to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details prior to the first use of the development and shall be retained as such thereafter.

Reason: In the interest of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

11) Prior to bringing the development into use the car and cycle parking, servicing and turning facilities indicated on the approved plans shall be provided to the full satisfaction of the LPA and thereafter kept unobstructed and shall be retained as such thereafter. Vehicles must be able to enter and leave the site in forward gear at all times.

Reason: In the interests of highway safety in accordance with policy T1 Highway Improvement.

12) Prior to the first use of the development hereby approved, details of Electric Vehicle Charging Point(s) shall be submitted to and approved in writing by the Local Planning Authority which complies with the requirements listed below.

The specification of the charging points installed shall:

- i. be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);
- ii. have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC;
- iii. be fitted with a universal socket (known as an untethered electric vehicle charge point);
- iv. be fitted with a charging equipment status indicator using lights, LEDs or display;
- v. a minimum of Mode 3 or equivalent.

The Electric Vehicle Charging Point(s) shall be installed in accordance with the approved details prior to the first use of the development, and shall be retained and maintained as such thereafter.

Reason: In the interest of promoting sustainable forms of transport, in accordance with UDP Policy T1 and the NPPF.

13) Prior to their first installation, any fixed plant and machinery shall be acoustically treated/designed in accordance with a scheme which shall be submitted to and approved in

writing by the Local Planning Authority. The approved scheme shall be implemented and retained as such thereafter.

Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 14) No HGV arrivals or departures to the site shall take place outside the hours of 06:00 and 23:00 on any day.

Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 15) During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays, and 08:00 and 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 16) The new road/access hereby approved shall be constructed in accordance with the Tameside MB Council Specification for Construction of Commercial Roads to at least base course level prior to any development taking place within the site.

Reason: In the interest of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 17) Prior to the first use or occupation of the development hereby approved, and notwithstanding the pedestrian routes indicated on the submitted Proposed Location Plan (dwg no. 2083.020, rev. D), pedestrian routes shall be submitted to and approved in writing by the local planning authority. They shall be marked out as approved, made available, and thereafter kept unobstructed and shall be retained as such thereafter.

Reason: In the interest of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 18) Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for any harmful invasive plant species, including Himalayan Balsam and Japanese Knotweed, shall be submitted to and approved in writing by the Local Planning Authority (LPA). The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: in the interests of biodiversity to secure nature improvement.

- 19) Prior to the commencement of development of the development hereby approved, including earthworks, details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed before machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

- 20) There shall be no tree felling, vegetation clearance works, or other works that may affect nesting birds on the development or off-site habitat creation areas, between March and July

inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of protected species conservation in accordance with Policy N7 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 21) Prior to the commencement of the development hereby approved, including any earthworks, a method statement detailing the design of the attenuation pond hereby approved, including the potential of the feature to support wildlife. The attenuation pond shall thereafter be implemented in full prior to the first use of the development hereby approved and shall be retained as such thereafter.

Reason: In the interest of biodiversity enhancement in accordance with Policy N3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 22) Prior to the commencement of the development hereby approved, including any earthworks, a badger sett survey of the site and a method statement shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the method statement shall include details of how harm to badgers will be avoided during the course of any development, and shall include details of measures to protect existing, nearby setts. The approved details shall thereafter be implemented in full as per any timetable included within the details.

Reason: In the interest of protected species conservation in accordance with Policy N7 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 23) Prior to the commencement of any above ground works, details of fencing to be installed between the development site and the buffer zone separating the development site and the River Tame shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall thereafter be installed prior to the first use of the development, and maintained as such thereafter.

Reason: In the interest of nature conservation factors and protection of waterside areas in accordance with Policies N3 and N6 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 24) Prior to the commencement of the development hereby approved, including any earthworks, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:
- a) Description and evaluation of existing habitats to be retained and enhanced including areas of grassland and wetland and length of hedgerows;
 - b) Description of habitats proposed for creation including areas or length as applicable;
 - c) Aims and objectives for habitats in terms of habitat value and condition (as defined under DEFRA biodiversity off-setting guidance);
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally

approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: In the interest of biodiversity enhancement in accordance with Policy N3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 25) The development hereby approved shall be carried out in accordance with the submitted Landscape Masterplan (dwg no. 792-XQL-00-00-DR-L-0100, rev. PL02) and Soft Landscape Plan (dwg no. 792-XQL-00-00-DR-L-0400, rev. PL01).

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 26) The five mixed use employment units hereby approved shall be used for the purposes of General Industrial (Use Class B2), Storage or Distribution (Use Class B8), Offices to carry out any operational or administrative functions, Research and development of products or processes, or industrial processes and for no other purpose (Use Class E(g)), including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: The use of the employment units other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality, for reasons of impact upon the vitality and viability of town centres, residential amenity and highway safety, in accordance with Policies C1, S2 and T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 27) Prior to the first use of the development hereby approved, a Staff Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan to be submitted by the appointed travel plan coordinator. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan.

Reason: In the interest of promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management and T11 Travel Plans.

- 28) The timber manufacturing facility and the five mixed use employment units hereby approved shall not be open for business or operations outside the hours of 06:00 and 20:00 on any day.

Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

This page is intentionally left blank



- KEY**
- Planning application boundary
 - Land retained by Freeholder
 - Site design by Others
- Hard Landscape Surfacing**
- Proposed Paver Paving as trim to resin bound gravel
 - Resin bound gravel surfacing
- Furniture, Seating, Specials & Edging**
- Proposed timber block seats made from removed trees (See Other's information for removed trees within Site Design area)
 - Retaining Structures - Gabion baskets backfilled with stone to match existing no mortar, any gaps left for insects or backfilled for planting
 - RW - Proposed
 - (E) - Existing retained
- Soft Landscape Planting & Soiling**
- Proposed multi-stem tree in soft landscape
 - Existing trees to be retained
 - Existing group of trees to be retained
 - Proposed mown strip within wildflower planting
 - Proposed native wildflower planting
 - Proposed aquatic/riverbank planting
 - Proposed woodland edge planting
 - Retain and support with proposed successional woodland stage planting species

GENERAL NOTES:

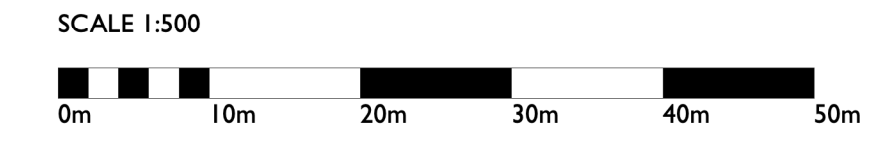
1. Do not scale from this drawing.
2. All levels, dimensions & setting out to be checked & agreed on site.
3. All dimensions are in millimetres unless otherwise stated.
4. All drawings must be read in conjunction with all Landscape, Civil, Geotechnical & Structural Engineers, National Highways, British Waterways and Architectural Documentation.
5. The contractor shall be responsible for confirming the position of all existing services, structures and works including building set out, in and around the site, prior to the commencement of works.
6. Contractor to confirm all dimensions and levels with Landscape Architect, prior to commencing work and ordering materials.
7. The contractor is to protect all listed structures during works.
8. This drawing is copyright protected & may not be reproduced in whole or part without written authority.
9. Typical detail drawings are to be considered as design intent and not construction drawings. Selected Fabricators and Manufacturer's to provide fabrication drawings for XQLA approval

REFER TO:

XQLA Drawings:
792-XQL-XX-00-RP-L-0400 Soft Landscape Plan

XQLA Documents:
792-XQL-XX-00-RP-L-0500 Landscape Strategy

Refer to Architects drawings for building interface
Refer to Conservation Architects drawings for historic structures
Refer to arboricultural & topographical survey



PL02	211029	Planning issue	OB	XQ
PL01	211020	Planning issue	OB	XQ
P01	210908	First issue	OB	XQ
REVISION	DATE	DESCRIPTION	DRAWN BY	APPRVD BY

PLANNING

792_SHEPLEY RD_HOWARTH TIMBER

PROJECT

LANDSCAPE MASTERPLAN

DRAWING NAME

1:500 @ A1 SEP' 21 S2 PL02
SCALE DATE STATUS REVISION

792-XQL-00-00-DR-L-0100

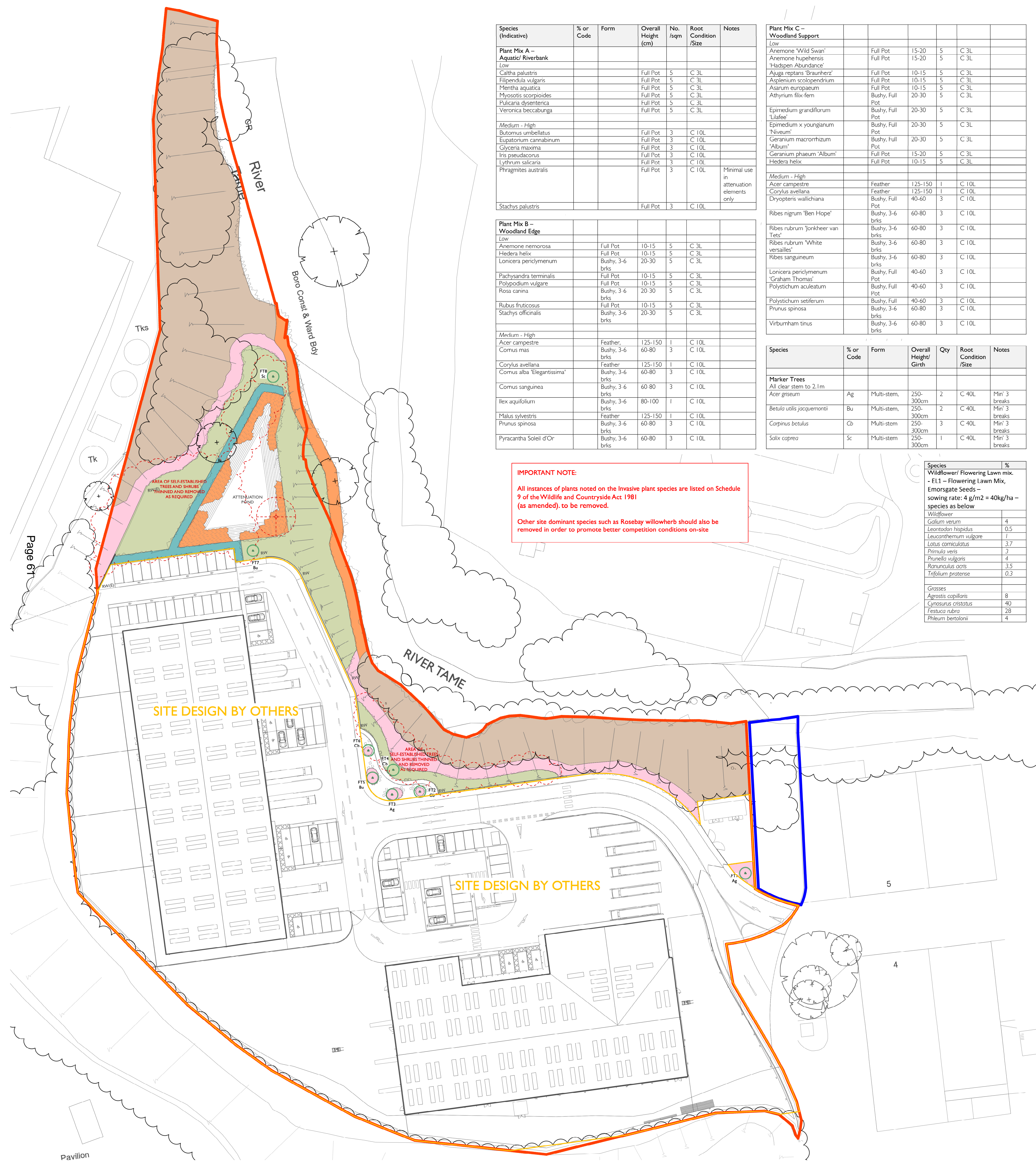
DRAWING NO.

OB XQ XQ N
DRAWN BY CHECKED BY APPROVED BY

Xanthe Quayle
Landscape Architects

01484 841000 studio@xanthequayle.com
12 Carr Lane, Southwale, HD7 5AN Reg: 08288659 xanthequayle.com

This page is intentionally left blank



Species (Indicative)	% or Code	Form	Overall Height (cm)	No. /sqm	Root Condition /Size	Notes
Plant Mix A – Aquatic/ Riverbank						
Low						
<i>Caltha palustris</i>			Full Pot	5	C 3L	
<i>Filipendula vulgaris</i>			Full Pot	5	C 3L	
<i>Mentha aquatica</i>			Full Pot	5	C 3L	
<i>Myosotis scorpioides</i>			Full Pot	5	C 3L	
<i>Pulicaria dysenterica</i>			Full Pot	5	C 3L	
<i>Veronica beccabunga</i>			Full Pot	5	C 3L	
Medium - High						
<i>Betonium umbellatus</i>			Full Pot	3	C 10L	
<i>Eupatorium cannabinum</i>			Full Pot	3	C 10L	
<i>Glycyca maxima</i>			Full Pot	3	C 10L	
<i>Ins pseudacorus</i>			Full Pot	3	C 10L	
<i>Lithum salicaria</i>			Full Pot	3	C 10L	
<i>Phragmites australis</i>			Full Pot	3	C 10L	Minimal use in attenuation elements only
<i>Stachys palustris</i>			Full Pot	3	C 10L	

Species (Indicative)	% or Code	Form	Overall Height (cm)	No. /sqm	Root Condition /Size	Notes
Plant Mix B – Woodland Edge						
Low						
<i>Anemone nemorosa</i>			Full Pot	10-15	5	C 3L
<i>Hedera helix</i>			Full Pot	10-15	5	C 3L
<i>Lonicera periclymenum</i>			Bushy, 3-6 brks	20-30	5	C 3L
<i>Pachysandra terminalis</i>			Full Pot	10-15	5	C 3L
<i>Polypodium vulgare</i>			Full Pot	10-15	5	C 3L
<i>Rosa canina</i>			Bushy, 3-6 brks	20-30	5	C 3L
<i>Rubus fruticosus</i>			Full Pot	10-15	5	C 3L
<i>Stachys officinalis</i>			Bushy, 3-6 brks	20-30	5	C 3L
Medium - High						
<i>Acer campestre</i>			Feather	125-150	1	C 10L
<i>Cornus mas</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Corylus avellana</i>			Feather	125-150	1	C 10L
<i>Cornus alba 'Elegantissima'</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Cornus sanguinea</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Ilex aquifolium</i>			Bushy, 3-6 brks	80-100	1	C 10L
<i>Malus sylvestris</i>			Feather	125-150	1	C 10L
<i>Prunus spinosa</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Pyracantha Soleil d'Or</i>			Bushy, 3-6 brks	60-80	3	C 10L

IMPORTANT NOTE:
 All instances of plants noted on the Invasive plant species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), to be removed.
 Other site dominant species such as Rosebay willowherb should also be removed in order to promote better competition conditions on-site

Species (Indicative)	% or Code	Form	Overall Height (cm)	Qty	Root Condition /Size	Notes
Plant Mix C – Woodland Support						
Low						
<i>Anemone 'Wild Swan'</i>			Full Pot	15-20	5	C 3L
<i>Anemone hephephensis</i>			Full Pot	15-20	5	C 3L
<i>'Hadsden Abundance'</i>						
<i>Ajuga reptans 'Braunherz'</i>			Full Pot	10-15	5	C 3L
<i>Asplenium scolopendrium</i>			Full Pot	10-15	5	C 3L
<i>Asarum europaeum</i>			Full Pot	10-15	5	C 3L
<i>Athyrium filix-fem</i>			Bushy, Full Pot	20-30	5	C 3L
<i>Epimedium grandiflorum 'Lilafae'</i>			Bushy, Full Pot	20-30	5	C 3L
<i>Epimedium x youngianum 'Niveum'</i>			Bushy, Full Pot	20-30	5	C 3L
<i>Geranium macrorrhizum 'Album'</i>			Bushy, Full Pot	20-30	5	C 3L
<i>Geranium phaeum 'Album'</i>			Full Pot	15-20	5	C 3L
<i>Hedera helix</i>			Full Pot	10-15	5	C 3L
Medium - High						
<i>Acer campestre</i>			Feather	125-150	1	C 10L
<i>Corylus avellana</i>			Feather	125-150	1	C 10L
<i>Dryopteris wallichiana</i>			Bushy, Full Pot	40-60	3	C 10L
<i>Ribes nigrum 'Ben Hope'</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Ribes rubrum 'Jonkheer van Tets'</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Ribes rubrum 'White Versailles'</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Ribes sanguineum</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Lonicera periclymenum 'Graham Thomas'</i>			Bushy, Full Pot	40-60	3	C 10L
<i>Polystichum aculeatum</i>			Bushy, Full Pot	40-60	3	C 10L
<i>Polystichum setiferum</i>			Bushy, Full Pot	40-60	3	C 10L
<i>Prunus spinosa</i>			Bushy, 3-6 brks	60-80	3	C 10L
<i>Viburnum tinus</i>			Bushy, 3-6 brks	60-80	3	C 10L

Species	% or Code	Form	Overall Height/ Girth	Qty	Root Condition /Size	Notes
Marker Trees						
All clear stem to 2.1m						
<i>Acer gresum</i>	Ag	Multi-stem,	250-300cm	2	C 40L	Min' 3 breaks
<i>Betula utilis jacquemontii</i>	Bu	Multi-stem,	250-300cm	2	C 40L	Min' 3 breaks
<i>Carpinus betulus</i>	Cb	Multi-stem	250-300cm	3	C 40L	Min' 3 breaks
<i>Salix caprea</i>	Sc	Multi-stem	250-300cm	1	C 40L	Min' 3 breaks

Species	%
Wildflower/ Flowering Lawn mix.	
- E11 – Flowering Lawn Mix, Emorsgate Seeds – sowing rate: 4 g/m ² = 40kg/ha – species as below	
Wildflower	
<i>Gallium verum</i>	4
<i>Leontodon hispidus</i>	0.5
<i>Leucanthemum vulgare</i>	1
<i>Lotus corniculatus</i>	3.7
<i>Prenula veris</i>	3
<i>Prunella vulgaris</i>	4
<i>Ranunculus acris</i>	3.5
<i>Trifolium pratense</i>	0.3
Grasses	
<i>Agrostis capillaris</i>	8
<i>Cynurus cristatus</i>	40
<i>Festuca rubra</i>	28
<i>Phleum bertolonii</i>	4

Plantings Notes & Specification:

General
 All plants to be supplied in full accordance with the HTA National Plant Specification.
 All plant material to be containerised with low planting at 3lt pots (4/sqm) and medium-high at 10lt pots (2/sqm).
 All tree work in accordance with BS 5837:2005 and BS 3998:1989 Works undertaken only after nesting of Tree Officer if trees TOP'd or in Conservation Area. Works not to be undertaken in bird nesting season without consent.
 All nursery stock in accordance with BS 3936 (Part 1)
 All landscape operations (excluding hard surfaces) in accordance with BS 4428:1989
 Newly planted areas to be protected by temporary chestnut pale fencing in accordance with BS5837

Soiling Depths
 Wildflower areas – 300mm topsoil (no topsoil)
 Hedge/ Large shrub Planting – 450mm topsoil, 450mm subsoil
 Shrub Planting – 300mm topsoil, 300mm subsoil

Protection to Existing Trees
 The recommendations in BS5387 (2012). Trees in relation to Construction must be complied with at all times. No pruning, lopping, felling or severance of roots is to take place without prior consent of the local authority. Any work to the existing trees is to be carried out by a qualified tree surgeon. The protection and construction of protective fencing shall be agreed with the local authority prior to any site works commencing. Under no circumstances must any materials be stored under the canopy of existing trees, and no cement, diesel or oil stored near them. No vehicles should pass under the canopy of existing trees. No fires should be lit in close proximity to existing trees. No ropes, cables, services or notice boards shall be fixed to existing trees. Under no circumstances should the levels around existing trees be either raised or reduced. Scaffolding may only erected within protected areas if it is done so in accordance with BS 5837. Any excavations under existing tree canopy spreads shall be done by hand.

Topsoil in accordance with BS 3882:1994
 Undisturbed topsoil to BS4428

Tree planting to have 10sqm (minimum) of growing medium/plant in shared trench wherever possible.

Tree Planting
 Trees shall be planted into tree pit 75mm deeper than root system and wide enough to accommodate the root system when fully spread. Break up bottom of pit and backfill with 3:1 excavated topsoil:peat free compost mix and slow release fertiliser.
 NB. Check for services prior to excavation of tree pit.

Grass & Meadow Seeding
 The area to be seeded is to be graded to smooth even running falls to allow the finished level of grass sward to be 25mm above adjoining paved areas. Sow: April-October
 The soil surface is to be cultivated to a fine, firm tith with a good crumb structure and uniformly firmed by rolling/treading and then lightly raked to 25mm depth to form a true, even surface. All rubbish, clods of earth and stones exceeding 50mm dia. to be removed.

Established Maintenance
 Straighten trees/shrubs and re-firm around roots after windy/frosty weather. Water trees/shrubs/ to field capacity during dry spells in spring/summer. First mow when grass sward is 75mm high and grass is reasonably dry. Height of first cut to 50mm. Remove arisings from site.
 After establishment, formative prune hedges 2 to 3 times a year to maintain size and spread and formative prune or ornamental shrubs as necessary to maintain desired size and shape. Establish appropriate mowing regime (e.g. one cut/month during April, May, September and October, 2 cuts per month during June, July and August.

All plant failures in the first 2 years to be replaced during the next suitable planting period.

Plants / trees – general
 Condition: materially undamaged, sturdy, healthy & vigorous
 Appearance: of good shape and without elongated shoots
 Free from pests, diseases, discoloration, weeds & physiological disorders.
 Origin: British grown, preferably local provenance.

Plants / Trees - specification criteria
 Name, forms, dimensions and other criteria: as scheduled and defined in the NPS.

Times of year for planting
 Deciduous trees & shrubs: late October to late March
 Conifers & evergreens: September / October or April / May
 Herbaceous plants (including marginal): September / October or March / April
 Wildflower plugs: late August to mid November or March / April

Planting wildflower plugs
 Keep plants watered and in shade until planted – do not allow to dry out.
 Preparation: remove brambles, coarse & invasive weeds from planting sites.
 Plant into a hole to suit plug size and shape. Create a cleft at bottom of hole to improve rooting. Gently firm plant into hole.

Tree pits (for standard trees)
 Sizes: 75mm deeper than the root system and wide enough to accommodate roots when fully spread.
 Pit bottoms: with slightly raised centre. Break up to a depth of 150mm. Backfilling: reuse excavated material

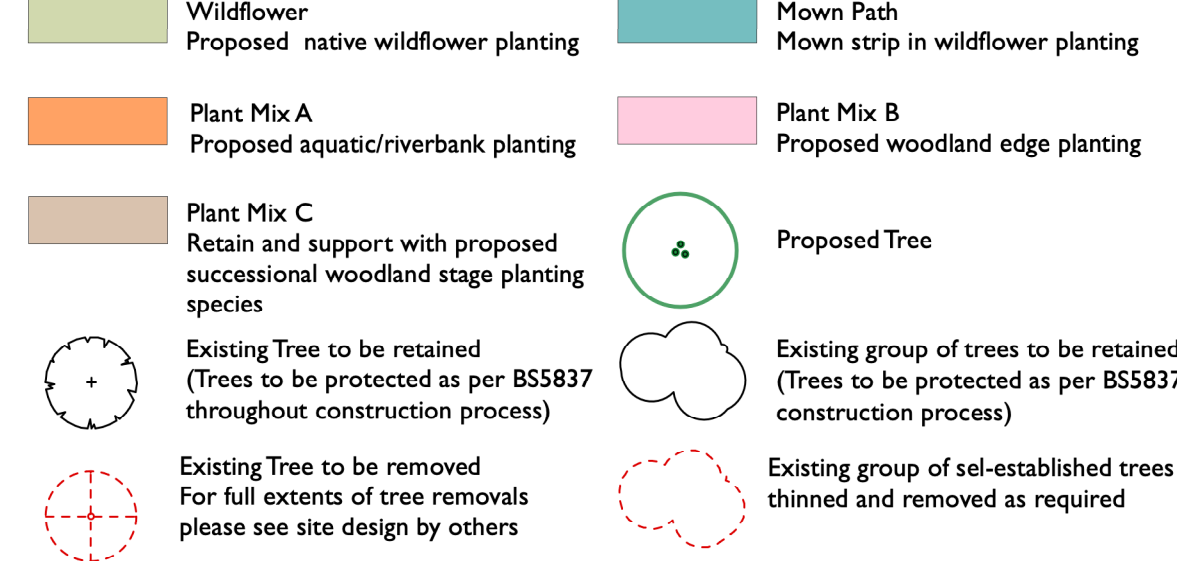
Staking (for standard trees)
 Stakes: softwood, peeled chestnut, larch or oak, straight, free from projections and large edge knots and with painted lower end.
 Position stake close to tree on windward side and drive vertically at least 300mm into bottom of pit before planting.
 Height of stake: cut to approx 600mm above ground level
 Ties: contractors choice
 Tying: secure tree firmly but not rigidly to stake with 2 ties within 25mm of top of stake.
Tree protection
 Manufacturer / product reference: contractors choice
 Type: spiral
 Colour / support: clear, bamboo canes

Woodland planting
 Generally: check for above / below ground services. Give notice if they may be affected and obtain instructions before proceeding.
 Safety: comply with Arboricultural & FAG guidance.

KEY



Planting Overview



Notch planting in uncultivated ground

Make a vertical I, L or T notch deep enough to accommodate full depth of roots.
 Plant tree, close notch with root collar at ground level and firm the soil

Setting out
 Planting density: to aid early establishment of screening 1 per m²
 Layout: random groups of no less than 3 or more than 7 of the same species, ensuring that no three plants are aligned in any one direction.

Establishment maintenance / making good defects
 Failures of planting
 Defects due to materials or workmanship not in accordance with the contract.
 Replacements: to match size of adjacent or nearby plants of the same species or match original spec, whichever is the greater.
 Timing: during the next suitable planting season

Woodland planting maintenance
 Watering: only necessary to prevent plants wilting
 Loose plants: re-firm surrounding soil, without compacting
 Weed control: cut down & remove weeds prior to setting seed in a 1m dia. around each tree.
 Thinning: thin to densities specified in the ecologists management plan

NOTE: Plant quantities and/or % to be confirmed after planning approval.

GENERAL NOTES:

- Do not scale from this drawing.
- All levels, dimensions & setting out to be checked & agreed on site.
- All dimensions are in millimetres unless otherwise stated.
- All drawings must be read in conjunction with all Landscape, Civil, Geotechnical & Structural Engineers, National Highways, British Waterways and Architectural Documentation.
- The contractor shall be responsible for confirming the position of all existing services, structures and works including building set out, in and around the site, prior to the commencement of works.
- Contractor to confirm all dimensions and levels with Landscape Architect, prior to commencing work and ordering materials.
- The contractor is to protect all listed structures during works.
- This drawing is copyright protected & may not be reproduced in whole or part without written authority.
- Typical detail drawings are to be considered as design intent and not construction drawings. Selected Fabricators and Manufacturer's to provide fabrication drawings for XQLA approval

REFER TO:

- XQLA Drawings:**
 792-XQL-XX-00-RP-L-0100 Landscape Masterplan
- XQLA Documents:**
 792-XQL-XX-00-RP-L-0500 Landscape Strategy
- Refer to Architects drawings for building interface
 Refer to Conservation Architects drawings for historic structures
 Refer to arboricultural & topographical survey



REVISION	DATE	DESCRIPTION	DRAWN BY	APPRVD BY
PL01	21/02/29	Planning issue	OB	XQ

PLANNING

792_SHEPLEY RD_HOWARTH TIMBER

PROJECT
SOFT LANDSCAPE PLAN
 DRAWING NAME

1:500 @ A1 SCALE
 OCT' 21 DATE
 S2 STATUS
 PL01 REVISION

792-XQL-00-00-DR-L-0400
 DRAWING NO.
 OB DRAWN BY
 XQ CHECKED BY
 XQ APPROVED BY

Xanthe Quayle
 Landscape Architects
 01484 841000 studio@xanthequayle.com
 12 Carr Lane, Southwale, HD7 5AN Reg: 08288659 xanthequayle.com

This page is intentionally left blank













Application Number:	22/00368/FUL
Proposal:	Development of 1 no. three bedroom dwelling (re-submission of application 21/01210/FUL).
Site:	Land south of John Street, Heyrod, SK15 3BS
Applicant:	Johnson Mowat
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required in accordance with the Council's Constitution as the application relates to a departure from the Statutory Development Plan.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application site is located on the southern side of John Street, Heyrod. The site is allocated as Green Belt on the UDP Proposals Map.
- 1.2 The application site measures 0.05 hectares and slopes gradually to the south. The site is located in Flood Zone 1.
- 1.3 The application site is a greenfield site. To the west is a substantial sized dwelling which received planning approval in 2019.
- 1.4 To the east is a cottage style dwelling that has recently been extended in the form of a two storey side extension. Across John Street to the north are a mixture of semi-detached bungalows and dormer bungalows. The surrounding area is mainly rural with a mixture of residential development.

2. PROPOSAL

- 2.1 The application seeks planning permission for the development of one detached dwelling. The proposed dwelling will measure approximately 9m in width with a length of 9m. It will have a pitched roof with a ridge and eaves height of approximately 7.5m and 4.8m respectively.
- 2.2 There is an attached garage proposed that would face John Street measuring 3.5m wide with a length of 5.6m containing a pitched roof measuring 3.8m to the ridge, 2.3m to the eaves. There is an open porch proposed to the front elevation.
- 2.3 The side elevation of the dwelling faces John Street and due to a change in ground levels, the property will be approximately 1.1 metres below the street level.
- 2.4 A new access is proposed off John Street that will measure 3 metres wide serving a driveway with a 1metre wide footpath along the front boundary.
- 2.5 A slate roof tile is proposed with stonework to match the surrounding properties. Upvc windows are proposed. A timber post and mesh fence with mixed native hedging is proposed along the full length of the north, east and south boundaries.

2.6 Amendments have been submitted during the course of the application. The changes are summarised as follows:

- Introduction of windows to the northern facing side elevation (fronting John Street)
- Change in the exterior of materials to include a slate roof and stone walls.
- Introduction of a Native species hedging and planting
- Introduction of a 1m hard surfaced porous footway to the front boundary on John Street.

2.7 The application is supported with the following documents :

- Drainage Strategy
- Stage 1 Geo-Environmental Desk Study Report
- Planning Statement
- Topographical Survey
- Preliminary Ecological Appraisal
- Tree Report

3. PLANNING HISTORY

3.1 21/01210/FUL: Development of 1 no. three bedroom dwelling with access off John Street. Withdrawn – 08.12.2021.

4. PLANNING POLICY

National Planning Policy Framework

4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 **Part 1 Policies:**

- 1.3: Creating a Cleaner and Greener Environment.

- 1.4: Providing More Choice and Quality Homes.
- 1.5: Following the Principles of Sustainable Development
- 1.10: Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.6 **Part 2 Policies:**

- OL1: Protection of the Green Belt
- OL2: Existing Buildings in the Green Belt
- C1: Townscape and Urban Form
- H10: Detailed Design of Housing Developments
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T10: Parking
- N7: Protected Species
- MW11: Contaminated Land
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Supplementary Planning Documents

4.7 Residential Design Supplementary Planning Document

Places for Everyone

4.8 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

4.9 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.10 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

4.11 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4.12 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. **PUBLICITY CARRIED OUT**

5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement, the application has been advertised as a departure from the development plan:

- Neighbour notification letters to neighbouring premises
- Display of a site notice
- Advertisement in the local press

6. SUMMARY OF THIRD PARTY RESPONSES

6.1 There have been approximately 9 letters of objection received in relation to the proposal and the comments are summarised below :

- Conflict With Land Use Policy
- Sets A Precedent
- Traffic/Parking Matters
- Visual Amenity
- Development Too Big
- Noise/Hours of Operation
- Out Of Character
- Loss Of Sun/Day Lighting/Overshadowing
- House to built on the Green Belt and there are no exceptional circumstances to allow this to be built
- The road does not have pavements and is only wide enough for one car.
- An extra driveway onto this lane will cause danger and congestion for cars horse riders dog walkers and local children.
- Access for large wagons and construction vehicles is difficult.
- Heavy build traffic.
- Site plan incorrect , the proposed site entrance plan is directly in front of my house and garden and contrary to as stated on the plans there is no brick wall in front of my property it is open with no fencing only a flower bed and block paved drive.
- The dwelling is directly opposite my property and will make my front garden unusable and unsafe for children.
- Safety of walkers, bike riders and children.
- The new Tameside cycle loop route passes this way and I feel the build and the traffic issues it will create will pose a hazard to the cyclists Tameside council are trying to promote to ride up John St.
- The proposed build is also out of character with the village and the character will be lost.
- Noise and disruption.
- Precedent for house building on the green belt.
- Loss of Openness.
- Loss of views.
- The builds taking place now were built on existing footprints but plans for the new build house is on green belt land and will cause disruption and noise.
- No existing structure were there previously.
- Block views of the green belt.
- The two recently granted planning permissions are not on greenbelt land, one is an extension to an existing cottage the other built on the footprint of existing farm buildings. The recently built Moorfield farm had to strictly adhere to the size and shape of a previous battery hen shed to preserve the surrounding green belt. The greenbelt is protected from inappropriate development except in very exceptional circumstances. In this case there are no exceptional circumstances.

- The land is not infill, it will not complete a street scene it is not affordable housing and is not using previously developed land.
- Drainage and flooding issues.
- There is also the possibility big solid gates could be added (as has been done on neighbouring properties) to the drive which would again prevent walkers, cyclists and village residents alike from appreciating the green belt and it would ensure the views of the green belt were reserved for the new property owners alone.
- This proposed property does not benefit anyone in the village and will endanger the safety of the village residents, children and members of the public due to the access issues.
- Planning statement is contradictory.
- The build would cause residents and the village children great disruption and endanger their safety. It would negatively impact on the area and village as a whole.
- There will be loss of sunlight/overshadowing which will have a greater impact due to my semi bungalow being lower set than my next door neighbour.

Comments regarding the Hedging

- I am concerned that tall hedges and walls will be built across the road frontage with large electric gates as on other recent builds this blocking the open aspect for all visitors and locals.
- Hedging and trees to be planted are they native species and any large hedges or trees will affect the openness of the green belt for the village residents, cyclists and walkers and massively affect visual amenity.
- The additional trees/hedges planted (laurel trees are mentioned, which are considered an invasive species of high impact not native to UK)

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highways Authority – No objections, subject to conditions requiring the construction of a footway, car parking to be constructed to adoptable standards and SUDs compliance, a surface water drainage scheme, a construction environment management plan and a scheme for secured cycle storage.
- 7.2 Greater Manchester Ecology Unit – There are unlikely to be any significant ecological issues associated with this development. No objections subject to a recommended condition in relation to biodiversity enhancements.
- 7.3 Arboricultural Officer – The proposal is acceptable from an Arboricultural perspective with fencing installed to protect the root protection areas of G1, linear group of trees on boundary.
- 7.4 United Utilities – No comments received.
- 7.5 Lead Local Flood Authority – The applicant should submit a comprehensive strategy supported by site based data and in accordance with the attached checklist where appropriate. No objections subject to a recommended condition for the submission of a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance.
- 7.6 Environmental Health – No objections subject to recommended condition for construction hours.
- 7.7 Contaminated Land – No objections subject to recommended conditions in relation to small scale soil sampling and unexpected contaminated land.
- 7.8 Landscape – No comments received.

8. ANALYSIS

Principle of Development

- 8.1 The site is allocated as Green Belt on the saved UDP Proposals Map. The principle of the development must be considered against policies OL1, OL2 of the UDP and the policies of chapter 13 of the NPPF, whether built development is acceptable on the area of Green Belt.
- 8.2 Policy OL1 of the Tameside Unitary Development Plan states that *“the Green Belt will continue to be protected from inappropriate development and approval will not be given, except in very special circumstances, for the construction of new buildings for purposes other than:*
- (a) agriculture and forestry, or*
 - (b) essential facilities for outdoor sport and outdoor recreation, or*
 - (c) cemeteries, or*
 - (d) other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it.”*
- 8.3 Policy OL2 of the Tameside Unitary Development Plan states that *“Within the Green Belt, approval will only be given for the re-use or conversion of existing buildings where:*
- (a) the new use does not have a materially greater impact than the present use, on the openness of the Green Belt and the purposes of including land in it, and*
 - (b) any extension of the building does not result in disproportionate additions over and above the size of the original building (or in the case of a replacement dwelling, the new building is not materially larger than the one it replaces), and*
 - (c) any associated uses of land surrounding the building do not conflict with the openness of the Green Belt and the purposes of including land within it, and*
 - (d) the building is of permanent and substantial construction, is in an intact and generally complete condition, and is capable of conversion without major or complete reconstruction, and*
 - (e) the form, bulk, general design and external materials of the building is in keeping with its surroundings and retains the inherent character and scale of the original building.*
- The extension, alteration or replacement of existing dwellings within the Green Belt will be subject to criteria (b) and (e) above.*
- The Council will particularly encourage the re-use of buildings for purposes which facilitate job creation and diversification of the rural economy or help to protect rural services, and will permit such developments subject to conformity with the criteria above.*
- Where it is considered that permitting buildings to be taken out of agricultural use could lead to a consequential increase in new farm buildings that would have a seriously detrimental effect on the openness of the Green Belt, the Council will impose conditions withdrawing such permitted development rights.*
- 8.4 The policies only extend to the replacement of existing dwellings for residential use and makes no reference to infill sites. Therefore whilst there is a degree of consistency between the Development Plan and the National Planning Policy Framework for the purposes of the assessment greater weight is afforded to chapter 13 of the NPPF.
- 8.5 Paragraph 148 of the NPPF states that *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

- 8.6 Paragraph 149 of the NPPF states that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. A number of exceptions are stated including limited infilling in villages.
- 8.7 For the purposes of assessing this application the dictionary definition of the term 'village' is often helpful as a starting point. It is a "*group of houses and associated buildings, larger than a hamlet and smaller than a town situated in a rural area*". The definition extends to areas in cities or towns that have "*features characteristic of village life*". In addition a "*village settlement generally has a place of worship and a central meeting point*".
- 8.8 In this case, there is a village hall which is located to the north-east approximately 120 metres away from the application site. There is also a village shop on Wakefield Road which is approximately a six minute walk from the site. Along Wakefield Road there are a number of bus stops within a five-minute walking distance of the site that provide a regular service to nearby towns and district centres including Ashton, Mossley, Greenfield and Oldham where a wider range of services and shops are available.
- 8.9 Officers are of the view that the site is located within the defined village boundary for the reasons outlined above. That being the case, it is accepted that the application site is located within a village and the main issue for consideration is whether the proposal amounts to limited infilling.
- 8.10 There is no definition in the National Planning Policy Framework as to what limited infilling comprises. Inspectors, in assessing a number of appeal proposals have concluded that there is no specific definition of the term 'infill' in the context of the paragraph 149 exception. In practice, it is normally taken to mean a small gap situated within an otherwise built up frontage or between existing buildings.
- 8.11 This is further supported by Wood v SSCLG 2014 which has determined that whether or not a proposed development constitutes limited infilling in a village is a question of planning judgment and this would depend upon their assessment of the position on the ground. This case law has established that it is necessary to consider whether, as a matter of fact on the ground, a site appears to be within a village and whether or not a site lies outside a village boundary. Decisions made on appeal also advise that the physical circumstances of a site and its relationship to a settlement are relevant in considering whether a site should be deemed infill.
- 8.12 In a recent appeal decision (APP/E2734/W/20/3257773) the Inspector found that infill development should:- "*fill a gap in an otherwise developed road frontage between existing buildings*".
- 8.13 In this context Heyrod is classed as a village The application site is an open area of grassland, however to the west of the site is a substantial sized dwelling known as Moorfield Farm. Planning permission was granted for a new dwelling here in 2019 (19/00480/FUL).
- 8.14 Opposite the site are semi-detached bungalows some with dormers. To the south-east of the site is a dwelling known as Lynford Cottage which has recently been extended in the form of a two storey side extension (21/00861/FUL). The site would be viewed within this context.
- 8.15 It is noted that the southern side of John Street is of a rural feel when travelling along the highway, however the application site is located between Moorfield Farm and Lynford Cottage and within a village frontage. This also includes a recently approved dwelling to the west of Moorfield Farm which is currently under construction (21/00006/FUL). Beyond Lynford Cottage there is a pattern of built development, further north past the bungalows on John Street are two residential cul-de-sac streets (Hall Avenue) consisting of bungalows again with some properties containing dormers; where Chamberlain Road comprises two storey semi-detached properties. As such, other built development is clearly visible either

side of the site and beyond. The proposal would form part of the linear pattern of development along John Street. Therefore, taking these considerations together, the proposal would amount to infill development as the site is a small gap in an otherwise built up frontage. The proposal amounts to limited infilling within a village.

- 8.16 It is acknowledged that the pattern of development on this side of John Street is somewhat spacious, with generous plots forming its character, but it does not negate the proposal being described as infill development. The proposed development would not extend beyond the defined built extent of the settlement and would be contained within the existing envelope of the development along John Street, noting that the proposed development will be built within the building line of Moorfield Farm. Again, for these reasons the site represents an infill site in a village.
- 8.17 The application site is also located in an area that was classified as the natural space and accessible countryside typology by the Open Space Review. However, the analysis states that there is no deficiency with access in the Heyrod location and concludes that the limited gaps present are not significant. This is reinforced by the analysis presented comparing the quantum of provision for natural space and countryside (in hectares per 1,000 population) against the level set by the Fields in Trust (FIT) guidance. The table highlights the very high level of provision of 41.27 ha in Stalybridge, compared to the 1.8ha set out by the FIT.
- 8.18 In respect of the plot itself, it sits between two residential properties, which form part of a wider established built form. The site is within part of a small group of properties surrounded by open countryside to the rear (north). Again as explained above on the opposite side of the road there is a small collection of semi-detached bungalows. Given the grain of the village settlement pattern in that location and the nature of the site and scale of the proposed development, officers are of the view that the scheme is considered as limited infilling in a village and would not be inappropriate development in the Green Belt and as result the principle of development is considered acceptable.
- 8.19 For the reasons set out above, the development comprises 'limited infilling within a village' and is therefore 'appropriate' having regard to the exceptions set out in Paragraph 149 (e) of the NPPF. Appropriate development does not cause harm to the openness of the Green Belt as recent case law has determined that, where development is found to be 'not inappropriate' when applying Paragraphs 149 and 150 of the Framework, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt.

9. DESIGN

- 9.1 Paragraph 130 of the NPPF *states that planning policies and decisions should ensure that developments :*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and,*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks."*

- 9.2 Paragraph 134 of the NPPF states that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”*.
- 9.3 UDP Policy C1 states *“In considering proposals for built development, the Council will expect the distinct settlement pattern, open space features, topography, townscape and landscape character of specific areas of the Borough to be understood, and the nature of the surrounding fabric to be respected. The relationship between buildings and their setting should be given particular attention in the design of any proposal for development”*.
- 9.4 UDP Policy H4 states *“The overall provision of new housing in the Borough should incorporate a range of dwelling types, sizes and affordability to meet the needs of all sections of the community and to help create better balanced communities for the future.”*
- 9.5 UDP Policy H10 states *“The layout, design and external appearance of proposed housing developments, which are acceptable in relation to other relevant policies in this plan, will be required to be of high quality and to meet the following more detailed criteria:*
- (a) a design which meets the needs of the potential occupiers, provides an attractive, convenient and safe environment for the local community, and complements or enhances the character and appearance of the surrounding area, and*
 - (b) suitable arrangements for parking, access to and from the highway, and delivery, refuse and emergency vehicles, including access by pedestrians, cyclists and disabled people, and for convenient access to public transport where appropriate, with no unacceptable impact on the surrounding highway network, and*
 - (c) suitable landscaping and fencing, including retention of existing features such as trees and hedges where practical, which enhance the appearance of the development, ensure privacy and security where necessary, enable discrete storage of wheelie bins and minimise the visual impact on surrounding areas.*
- The Council will encourage and permit new and innovative design solutions wherever this can be achieved without adverse effects on existing character.*
- 9.6 Policy RD2 in the Residential Design SPD covers general character considerations and is clear in the expectation of achieving high quality development that enhances a locality and contributes to place making taking into account the historic environment, proportions existing building styles.
- 9.7 The proposed layout would result in the principle elevation facing the western side of the site. An active frontage to John Street in the form of two proposed windows to the side elevation has been secured following the submission of amended plans at the officer’s request.
- 9.8 The property will continue the established pattern of development on the southern side of John Street noting there are a number of detached properties of varying styles within the immediate and surrounding streetscene. To the west of the application site is a recently constructed residential property of a much larger size that has set a precedent.
- 9.9 In terms of scale, the dwelling would be two storeys in height, reflecting the predominant scale of buildings in the surrounding area and the height of residential development on John Street and beyond.
- 9.10 Spaciousness and openness will be provided due to the generously sized garden and open space to the sides, rear and front of the property that will contribute significantly to the visual quality of the area, and the pleasant nature of the site. The positioning of the dwelling, set back approximately 3 meters into the site and set down at a lower level, further supports this.

- 9.11 The application site slopes in a south-easterly direction from John Street, resulting in circa. 3 metre difference between the floor levels of the properties on John Street (circa 170 AOD) and the application Site (circa. 167 AOD). The street scene view shows that the dwelling would be visible from John Street however, the development would, to some extent, be screened due to the dwelling being set down and positioned at a lower level. In addition, native hedging is proposed along the front boundary. This can be secured by condition.
- 9.12 The dwelling will not extend beyond the building line of the neighbouring property at Moorfield Farm.
- 9.13 Materials to match the surrounding dwellings are proposed in the form of stone, a slate roof and Upvc windows. The proposal would respect the design, scale, materials, character, appearance and proportions of the existing dwellings in the streetscene and would preserve character and appearance of the surrounding area noting the ridge height is no higher than the neighbouring properties.
- 9.14 Given the above, the design of the proposal would comply with adopted policy and is therefore acceptable.

10. RESIDENTIAL AMENITY

- 10.1 Paragraph 130(f) of the National Planning Policy Framework states that *“Planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- 10.2 UDP Policy H10 states *“any proposed housing development will be required to be of high quality and to meet the following criteria: - (d) no unacceptable impact on the amenity of neighbouring properties through noise, loss of privacy, overshadowing, or traffic, and (e) minimisation of the opportunities for crime and anti-social behaviour.”*
- 10.3 Policy RD5 of the Residential Design SPD states *“Minimum Privacy Distances must be achieved”.*
- 10.4 Policy RD11 of the Residential Design SPD states *“Houses - all houses should have private amenity space of a size and function suitable for its intended occupants. Houses of 3 or more bedrooms will be considered family homes and should have an outdoor space that reflects this.”*
- 10.5 Policy RD12 of the Residential Design SPD states *“Communal areas should be a private space for residents. Spaces should be considered an element of the overall design. Areas should not comprise of a bland space adjacent to a car park. Where appropriate, areas should be secure. Spaces should enable multi-resident use.”*
- 10.6 Policy RD18 of the Residential Design SPD recommends minimum floor areas that residential developments should achieve. Internal space is interpreted by reference to the nearest equivalent new national technical standard which is given in the Government's Technical housing standards - nationally described space standard document (THS).
- 10.7 The adopted Residential Design Guide SPD (RDG) contains the separation distances that should be retained between buildings to prevent unreasonable overlooking into and overshadowing of neighbouring properties. A distance of 21 metres should be retained between an elevation containing habitable room windows and a corresponding neighbouring elevation that also contains habitable room windows.

- 10.8 The proposed new dwelling is sited approximately 32 metres away from Moorfield Farm, approximately 23 metres away from the neighbouring properties across John Street at no.50 and no.52 and the dwelling is also sited approximately 37 metres away from Lynford Cottage. The proposal meets the minimum separation privacy distance standards outlined in the council's Residential Design Guide SPD. The impact on the amenity of neighbouring properties in relation to loss of privacy is considered acceptable. The distances also mean that the impact on overshadowing on existing residents is also satisfactory.
- 10.9 The proposal would not result in an adverse impact on the residential amenity of any of the neighbouring properties. The proposal is considered acceptable and compliant with policy H10 of the UDP policy, RD5 of the SDP, and Sections 11 and 12 of the NPPF.
- 10.10 Local residents have raised concerns regarding the change/loss of view from their properties, their concerns are acknowledged and appreciated. However, there is little evidence to suggest that the proposal would be harmful in terms of its impact on living conditions in relation to outlook or privacy as there is a sufficient separation distance from the neighbours across John Street. In addition, the proposal will be set down into the site and partly screened from the aforementioned neighbours in the form of native hedging. Impact on a view, in and of itself, is not material to the decision.
- 10.11 Concerns from neighbouring properties have also been raised regarding the noise and disruption from the development during construction. The Council's Environmental Health Officers have recommended a condition restricting the hours of construction to daytime hours in order to protect the amenities of occupants of nearby properties.
- 10.12 Approximately 114sqm of internal floor area will be provided, thus the proposed dwelling meets the requirements of the minimal standards for a 2-storey, 3-bedroom dwelling (approx. 102sqm). The house would be provided with private amenity space in the form of spacious gardens surrounding the site including a paved area to the front elevation and a path to the rear. In terms of the residential environment that would be created the proposal is therefore considered compliant with policies 1.5 and H10(a) of the UDP; policy RD11 of the SPD; and, Section 12 of the NPPF.

11. HIGHWAY SAFETY

- 11.1 Paragraph 111 of the NPPF states that "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*"
- 11.2 Policy T1 of the UDP states that "*The Council will carry out new highway construction, highway improvement and traffic management schemes with the aims listed below. The access arrangements for development schemes must also be designed with these aims, wherever appropriate.*"
- (a) improving safety for all road users,*
 - (b) encouraging the use of non car modes,*
 - (c) providing safe and convenient facilities for pedestrians and cyclists,*
 - (d) improving road and community safety especially in residential areas,*
 - (e) improving safety and the environment in town and local centres, assisting their viability and encouraging new investment,*
 - (f) assisting sustainable development,*
 - (g) safe management of congestion problems,*
 - (h) improving the efficiency and attractiveness of public transport and the convenience and safety of passengers,*
 - (i) providing for the needs of people with mobility difficulties,*
 - (j) providing for the safe use of powered two wheelers,*
 - (k) providing for the sustainable movement of freight,*

(l) conserving and enhancing the valued characteristics of an area through the use of appropriate design and materials.”

- 11.3 Policy T7 of the UDP states that *“Development proposals will be required to consider provision for cyclists including secure cycle parking where appropriate.”*
- 11.4 Policy T10 of the UDP states that *“Proposals will be brought forward, following local consultation, for secure off-street parking where needed in residential areas and where suitable sites are available. New developments will be subject to maximum levels of parking provision, in accordance with standards to be established in association with the other Greater Manchester authorities and in line with national and regional guidance.”*
- 11.5 The proposed access into the site will measure 3 metres wide, where the access meets the requirements for visibility. In addition the proposed access meets the local highways authority requirement for maximum gradients.
- 11.6 The proposed development would generate only a small amount of vehicle movements. In light of this, the proposed development would not create a severe cumulative impact upon the highway network.
- 11.7 Policy RD8 states that there should be a maximum of 2 car parking spaces for 2/3 bedroom dwellings, this is also reiterated within policy T10 of the councils UDP, There is sufficient space for the parking of 2 vehicles within the proposed driveway and this is therefore considered acceptable.
- 11.8 To promote sustainable modes of transport there is a requirement for 1no. cycle storage units with adequate space to access the cycles This can be secured by condition, however it is noted that the garage could be utilised to store bicycles.
- 11.9 There has been two new dwellings in the vicinity which have been granted planning permission in the past 4 years. One has been completed (Moorside Farm) and the other was under construction at the time of the officers site visit. Due to the accumulated traffic generated by the new dwellings and the proposal, it has been agreed with the applicant that a safe pedestrian access is required. This will ensure that pedestrians have an area for vehicles to pass them safely due to the increase in vehicles during the construction phase and post construction.
- 11.10 There is currently a footpath to the front of the site, however this is overgrown and cannot be used safely. Therefore as part of this application, a minimum 1 metre footpath is required and will be provided along the front boundary of the site which will be paved in porous asphalt. This can be secured by condition.
- 11.11 Therefore subject to the recommended conditions, the proposed impact on highway safety is considered acceptable, meeting the requirements of local and national planning policy.

12. DRAINAGE AND FLOOD RISK

- 12.1 The site is located within flood zone 1, is at the lowest risk of flooding, and is under one Hectares in size.
- 12.2 The applicant has submitted an outline drainage strategy with the planning application that has been reviewed by the Lead Local Flood Authority (LLFA).
- 12.3 The Drainage Strategy includes SUDs assessment and calculations. The application is acceptable in principle subject to the recommended condition of the submission of a Surface

Water Drainage Scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions.

- 12.4 The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The strategy shall demonstrate that foul water and surface water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run-off rates. The strategy shall also include details of on-going management and maintenance arrangements.
- 12.5 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity subject to the recommended condition.

13. ECOLOGY, TREES AND LANDSCAPING

- 13.1 Greater Manchester Ecology Unit (GMEU) have reviewed the application. They note that there is unlikely to be any significant ecology issues associated with the development.
- 13.2 The development is restricted to a small area of low ecological value grassland, with no buildings, trees, or waterbodies on or near to the site other than a very recently constructed pond to the South-West.
- 13.3 It is very unlikely that there are any protected species reliant on this site for breeding or foraging habitat. The only bird nesting habitat on the site appears to be the trees along the eastern boundary which are shown on the submitted plans as being retained.
- 13.4 Paragraph 174 of the NPPF states that "*planning policies and decisions should contribute to and enhance the natural and local environment.*" The development will result in a small loss of low ecological value grassland to the building and hardstanding for vehicles. Given the remainder of the site will be garden of low ecological value habitat. Mitigation should be provided. This would best be achieved through some native boundary tree or hedge planting.
- 13.5 The proposed site plan indicates that a timber post and mesh fencing with mixed native hedge planting is proposed along the full length of the north, east and south boundaries of the site.
- 13.6 There are no trees located on the site, there are however a swathe of mature trees along the eastern boundary. The location of the proposed dwelling is at a sufficient distance not to have an adverse effect on any of the existing adjacent trees.
- 13.7 The proposal is acceptable from an arboricultural perspective noting that a condition will be applied to the decision notice for the provision of protective fencing in accordance with *BS 5837:2012 "Trees in relation to construction - Recommendations"* to be installed to protect the root protection areas of G1, linear group of trees on the eastern boundary.
- 13.8 As a result the impact on ecology and trees complies with the development plan and is considered acceptable.

14. GROUND CONDITIONS

- 14.1 The site falls outside of the Coal Authority's defined Development High Risk Area. As such, a Coal Mining Risk Assessment is not required.
- 14.2 The applicant has submitted a Geo-Environmental Desk Study stating that no previous development is shown on historical mapping of the site. The site is currently a field with an

ornamental pond. The desk study also confirmed that no significant sources of contamination appear to be located in the immediate vicinity of the site.

- 14.3 The Environmental Protection Unit (EPU) have reviewed the submitted document and confirm that the reporting is satisfactory however there is a requirement for testing of any made ground soils within future garden areas to ensure that they are suitable for use. In addition, a condition relating to any unknown or unexpected contamination is also needed for this development.
- 14.4 The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

15. OTHER MATTERS

- 15.1 Whilst the proposed development comprises appropriate development in the Green Belt a condition is recommended for the withdrawal of permitted development rights on site to ensure that any proposals for future extensions/alterations can be assessed in the interests of safeguarding the openness of the Green Belt and neighbour amenity.
- 15.2 A response received from a neighbouring property highlighted that the submitted site plan was incorrect, noting a brick wall was positioned incorrectly, this has been rectified with the submission of a revised site plan.

16. CONCLUSION

- 16.1 The application proposes the erection of a 1no. detached dwelling within the Green Belt. The construction of new buildings in the Green Belt is considered inappropriate development subject to one of the exceptions within policy 149 of the National Planning Policy Framework being met.
- 16.2 As explained above, the development comprises 'limited infilling within a village' and is therefore 'appropriate' having regard to the exceptions set out in paragraph 149 (e) of the NPPF. Therefore the principle of development is considered acceptable.
- 16.3 The design and scale of the development is appropriate for this location and surrounding area. The applicant has responded positively to suggestions of design and highways improvement, and it is considered that the development would be appropriate visually noting the precedent already set by the adjacent dwelling at Moorfield Farm.
- 16.4 The proposal is not considered to be detrimental to residential amenity, given the nature of the proposed use and the considerable distance between residential uses.
- 16.5 The development would not cause undue impacts to highway safety, and would be considered acceptable subject to the imposition of conditions.
- 16.6 There are no objections to the proposals from the statutory consultees in relation to the proposals subject to the recommended conditions.
- 16.7 The Council cannot demonstrate a five-year supply of deliverable housing sites in a recently adopted plan or in any annual position statement, as is required by paragraph 75 of the NPPF. In turn, the test in the 4th bullet point of paragraph 11 applies, so that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

16.8 Overall, the proposal is considered to comply with the development plan and the NPPF, for the reasons set out in the report, and therefore Paragraph 11 of NPPF requires the development to be approved without delay. As such, it is recommended that planning permission is granted subject to recommended conditions. In accordance with policies outlined in the UDP and the National Planning Policy Framework.

RECOMMENDATION

Grant planning permission subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:

Location Plan

Proposed Floor Plans - Dwg no : 1781 / 12 / 21 Sht 3 Rev : B

Proposed Elevation Plans - Dwg no : 1781 / 12 / 21 Sht 2 Rev : D

Proposed South Elevation Plans - Dwg no : 1781 / 12 / 21 Sht 6 Rev : A

Proposed Site Plan - Dwg no : 1781 / 12 / 21 Sht 1 Rev : C

Proposed Section Plan - Dwg no : 1781 / 12 / 21 Sht 4 Rev : A

Proposed Landscape and Planting Plan - Dwg no : 1781 / 12 / 21 Sht 7 Rev : C

Proposed Site Access Plan - Dwg no : AMA/21058/SK001

2D Topographical Survey - Dwg no : 1216-150_2D (A1)

Planning Statement Prepared by Johnson Mowat April 2022

Arboricultural Report Prepared by AWA Tree Consultants June 2021

Preliminary Ecological Appraisal Prepared by Futures Ecology September 2021

Stage 1 Geo-Environmental Desk Study

Drainage Strategy Prepared by Andrew Moseley Associates June 2021

CGI street view drawings

Reason: For the avoidance of doubt and to ensure that the development complies with the following saved Policies of the adopted Tameside Unitary Development Plan:

Policy OL1: Protection of the Green Belt

Policy OL2: Existing Buildings in the Green Belt

Policy C1: Townscape and Urban Form

Policy H10: Detailed Design of Housing Developments

Policy T1: Highway Improvement and Traffic Management

Policy T7: Cycling

Policy T10: Parking

Policy N7: Protected Species

Policy MW11: Contaminated Land

Policy U3: Water Services for Developments

Policy U4: Flood Prevention

Policy U5: Energy Efficiency and the National Planning Policy Framework (NPPF).

- 3) The materials of external construction shall be identical in appearance to those specified on the submitted application form and plans. The development shall be

carried out in accordance with the approved details. Unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the appearance of the development reflects the character of the surrounding area.

- 4) No work shall take place in respect to the construction of the approved footway along the front boundary to the Development, as indicated on the approved site plan - Dwg no : 1781 / 12 / 21 Sht.1 Rev : C , until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include full details of:-

1. Details of the areas of the highway network/car park within the site to be constructed to adoptable standards/including SUD's compliance and the specification of the construction of these areas.

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan and the development shall be retained as such thereafter.

Reason: To ensure that the development maintains highway safety.

- 5) No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- Wheel wash facilities for construction vehicles;
- Arrangements for temporary construction access;
- Contractor and construction worker car parking;
- Turning facilities during the remediation and construction phases; and
- Details of on-site storage facilities

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.

Reason: To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.

- 6) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The strategy shall demonstrate that foul water and surface water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run-off rates. The strategy shall also include details of on-going management and maintenance arrangements. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework.

- 7) No part of the dwelling hereby approved shall be occupied until details of the secured cycle storage provision to serve the dwelling have been submitted to and approved in

writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.

Reason: To ensure adequate cycle storage.

- 8) During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: In order to protect the amenities of nearby residents in accordance with Unitary Development Plan policies 1.12 and H10.

- 9) Prior to the occupation of the development, full details of the ground conditions encountered in garden areas, including photographs, shall be submitted to the Council. Depending on the nature of the ground conditions encountered, further investigation including a programme of soil sampling and analysis may be required. Where necessary, a scheme of remediation to remove any unacceptable risks to human health from soils at the site shall be submitted to, and approved in writing by, the EPU. The scheme will be implemented and a completion / validation report submitted to the EPU demonstrating the new area of garden is suitable for its intended use. The discharge of this planning condition will be given in writing by the Local Planning Authority once all information specified in this condition has been provided to the satisfaction of the Environmental Protection Unit.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

- 10) If during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed with the LPA), shall be undertaken until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

- 11) No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of the dwelling and shall be retained as such thereafter.

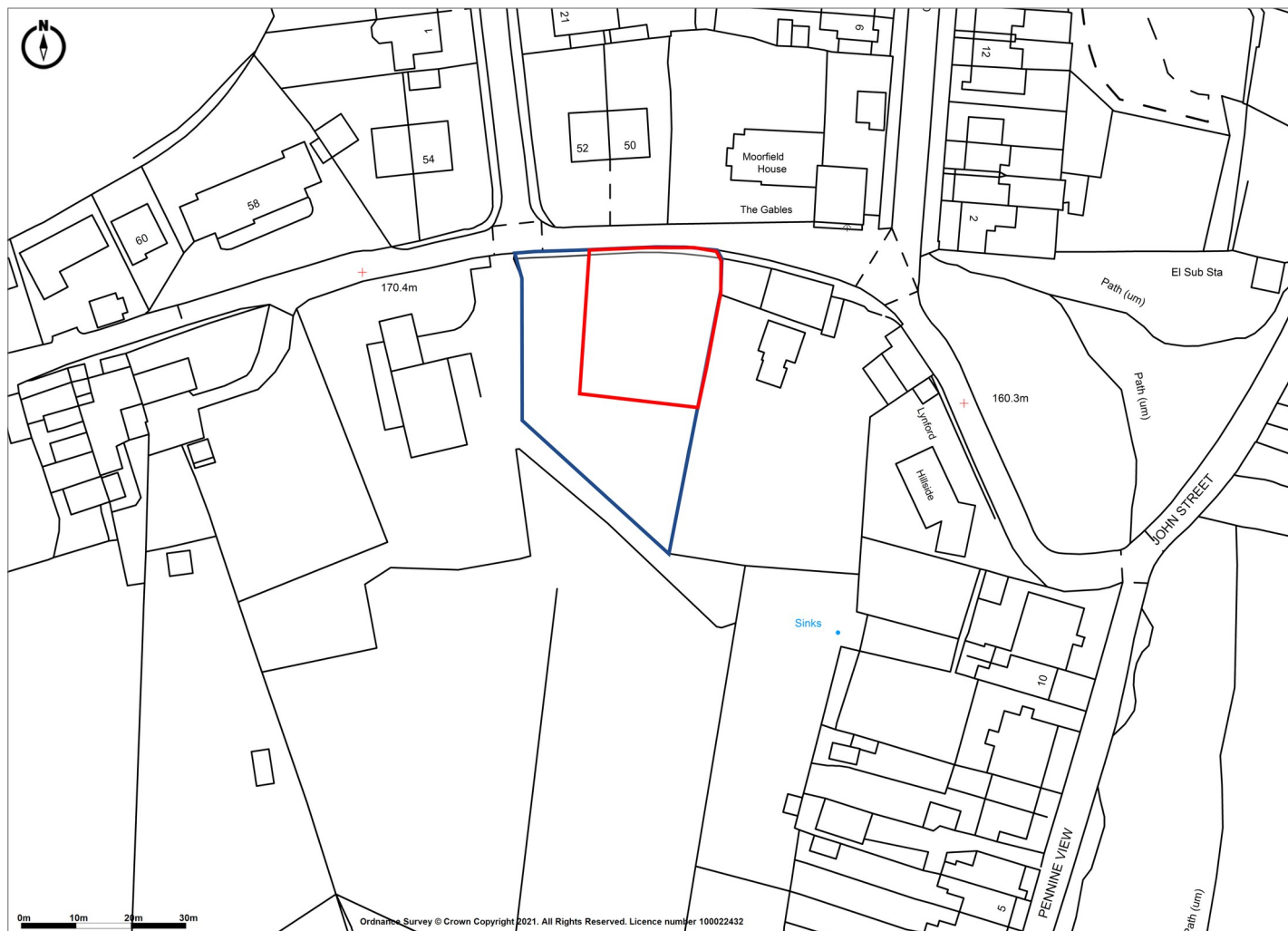
Reason: To ensure that biodiversity enhancements are secured to mitigate the environmental impacts of the scheme in accordance with paragraph 174 of the National Planning Policy Framework.

- 12) No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around the trees to the east of the site. These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.

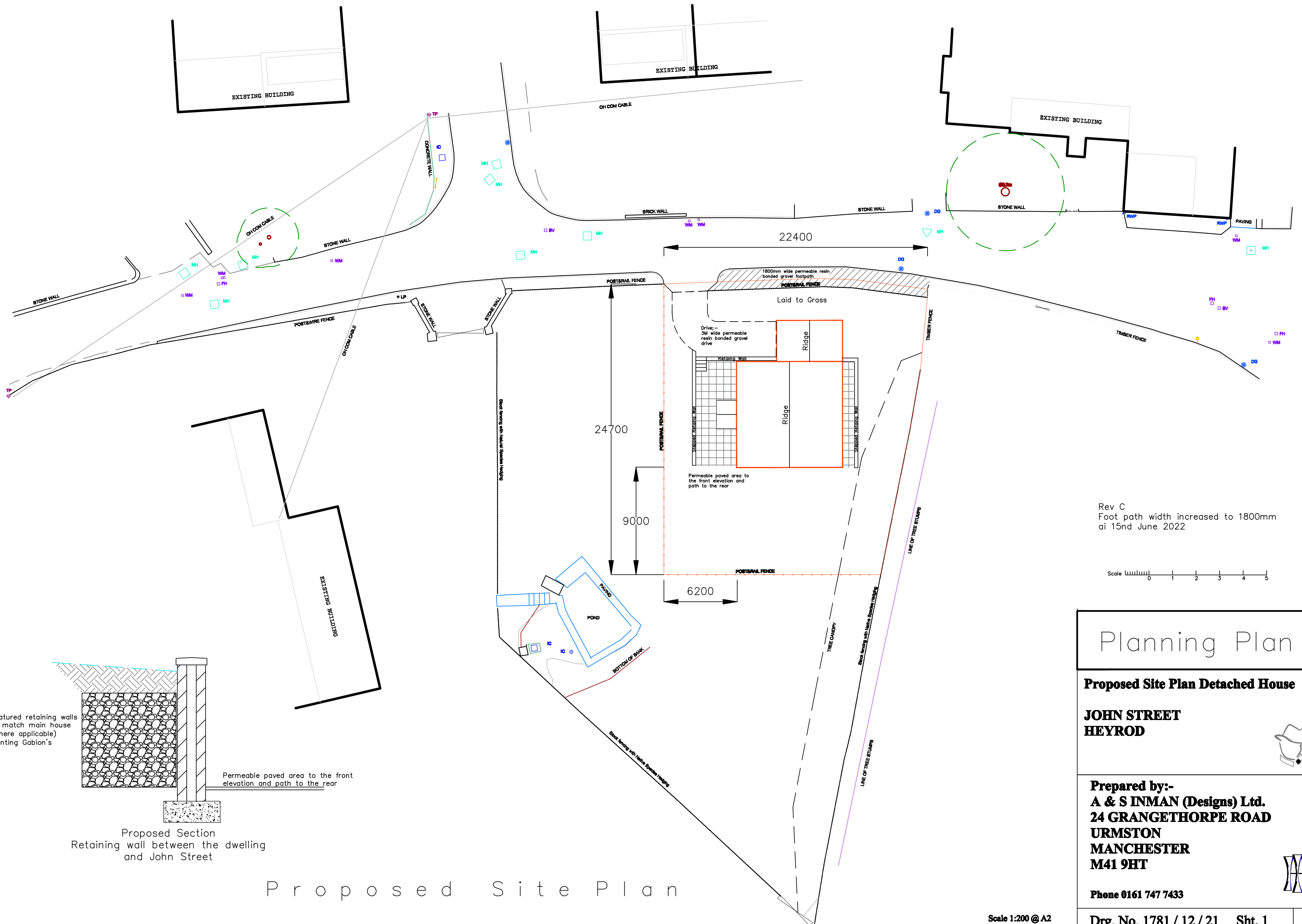
Reason: To ensure adequate protection of trees to be retained during the construction phase of the development.

- 13) Notwithstanding the provisions of the Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015) as amended, no development involving enlargements such as side/rear extensions, alterations to roofs, dormer windows or the construction of buildings surrounding the house (the 'curtilage') as permitted by Classes A to F and H of Part 1 of Schedule 2 of the Order shall be carried out.

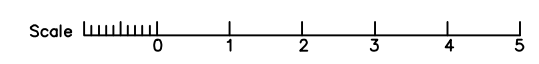
Reason: In order that any proposals for future extensions/alterations can be assessed in the interests of safeguarding the openness of the Green Belt and neighbour amenity, in order to ensure compliance with Policies OL1 'Protection of the Green Belt', 'OL2: Existing Buildings in the Green Belt' and Policies C1 'Townscape and Urban Form' and H10 'Detailed Design of Housing Developments' of the Tameside Unitary Development Plan.



This page is intentionally left blank



Rev C
 Foot path width increased to 1800mm
 at 15nd June 2022



<h1>Planning Plan</h1>	
Proposed Site Plan Detached House	
JOHN STREET HEYROD	
<p>Prepared by:- A & S INMAN (Designs) Ltd. 24 GRANGETHORPE ROAD URMSTON MANCHESTER M41 9HT</p>	
Phone 0161 747 7433	
Drg. No. 1781 / 12 / 21	Sht. 1
C	

Proposed Site Plan

This page is intentionally left blank

400100N
397040E

397060E

397080E

397100E

397120E

397140E

397160E

400080N

400060N

400040N

400020N

397040E
400000N

397060E

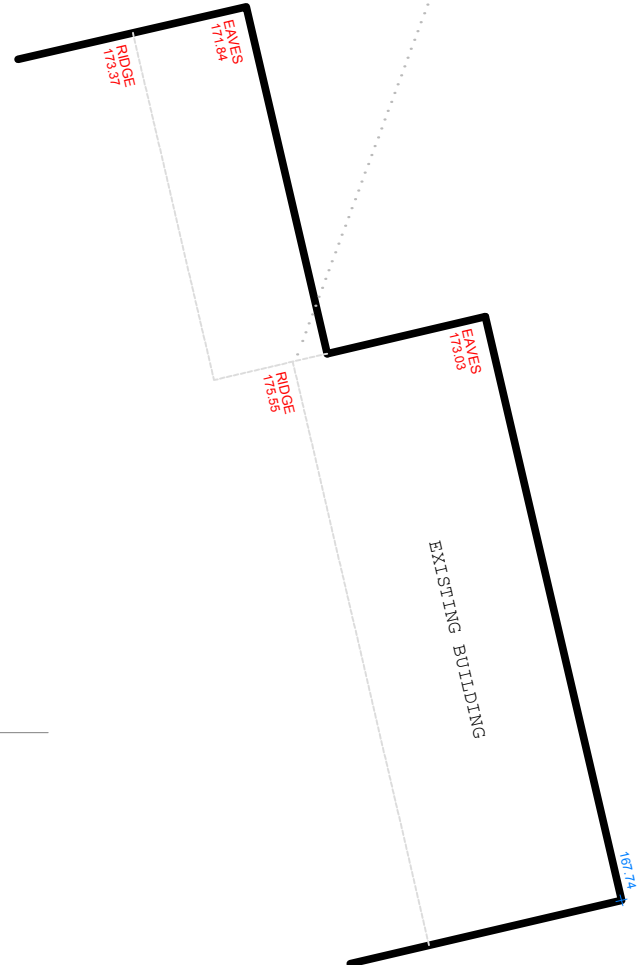
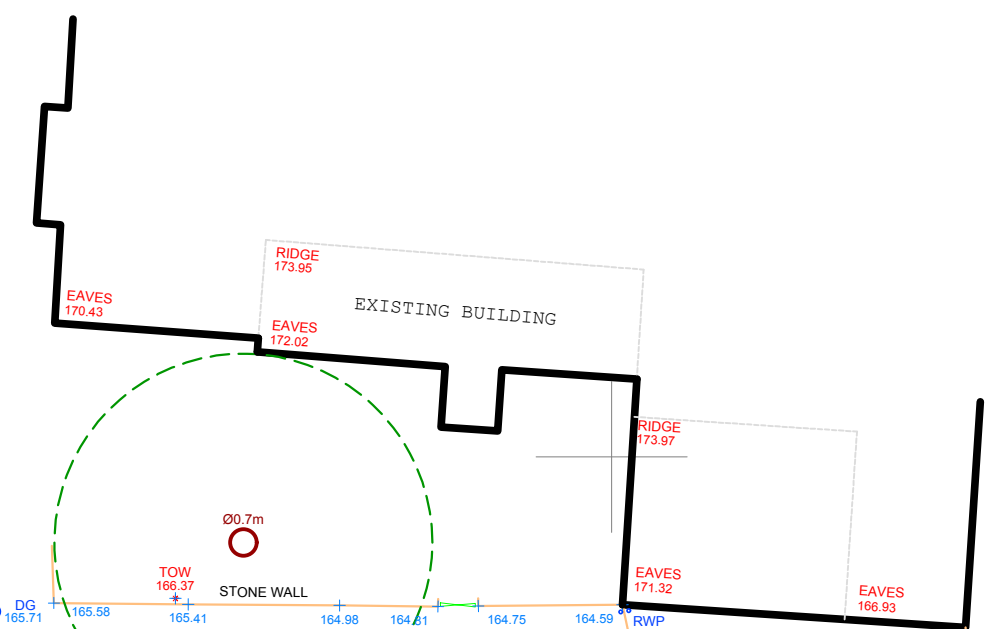
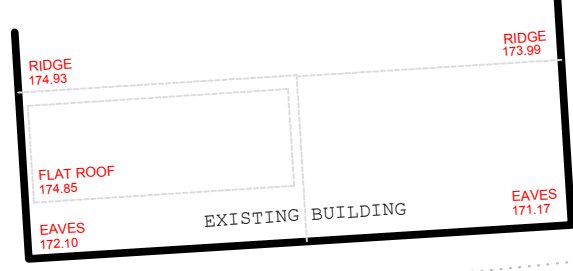
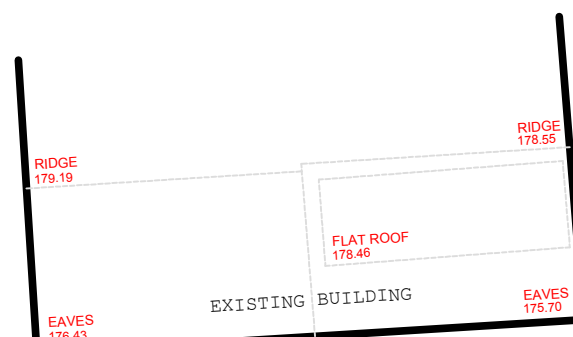
397080E

397100E

397120E

397140E

397160E



Notes
This drawing and the information contained therein is issued in confidence and is the copyright of MT Surveys Ltd. Disclosure of this information to Third Parties and unauthorised copying or replication of this data without approval is forbidden.

Direction of North

CRID
OS NATIONAL GRID.
Using the OS GPS Network and applying OSTN02 transformation and then removing the scale factor for true distances.

DATUM
OS LEVEL DATUM.
Using the OS GPS Network and applying OSGM02 National Geoid Model to obtain local area corrections.

STATION LISTING

Station	Easting	Northing	Level
S1	397061.994	400070.822	171.496
S2	397100.254	400070.865	168.234
S3	397159.518	400067.527	163.363

TOPOGRAPHICAL SURVEY KEY

DRAINAGE & WATER SERVICES		STREET FURNITURE & GEOTECH	
DG	Drain/Gully	MAL	Post Box
KD	Kerb Outlet	BUS	Bus Stop
CH	Circular Manhole	BOL	Bollard
SM	Square Manhole	SIGN	Sign
TM	Triangular Manhole	TL	Traffic Light
RE	Rodding Eye	CCTV	Camera
FH	Fire Hydrant	LP	Lamp Post
ST	Stop Tap	LIGHT	Light
SV	Stop Valve	COL	Column
TAP	Tap	VENT	Vent
WO	Wash Out	BM	Bench Mark
WM	Water Meter	M	Marker Post
WV	Water Valve	TRIP	Trial Pit
AV	Air Valve	BH	Borehole

SERVICES		ABBREVIATIONS	
G	Gas Valve	CSMH	Combined Sewer Manhole
IC	Inspection Cover	FWMH	Foul Water Manhole
C	Cable TV Cover	SWMH	Surface Water Manhole
CS	Cable TV Supply	CL	Cover Level
E	Electric Cover	IL	Invert Level
EP	Electric Pole	THR	Threshold Level
ER	Earth Rod	TOF	Top Of Fence
T	Telecoms Cover	TOH	Top Of Hedge
TP	Telegraph Pole	TOW	Top Of Wall
GR	Gas Riser Pipe	US	Underside
RWP	Rainwater Pipe	UTR	Unable To Raise
SVP	Soil Vent Pipe		

(w) www.mtsurveys.com
(e) admin@mts-surveys.com
(t) (0)1274 408352

MT Surveys Ltd
Unit 8
Parkview Court
Shiply
BD18 3DZ

CLIENT
Johnson Mowat

SITE
Land Off John Street, Heyrod, Stalybridge

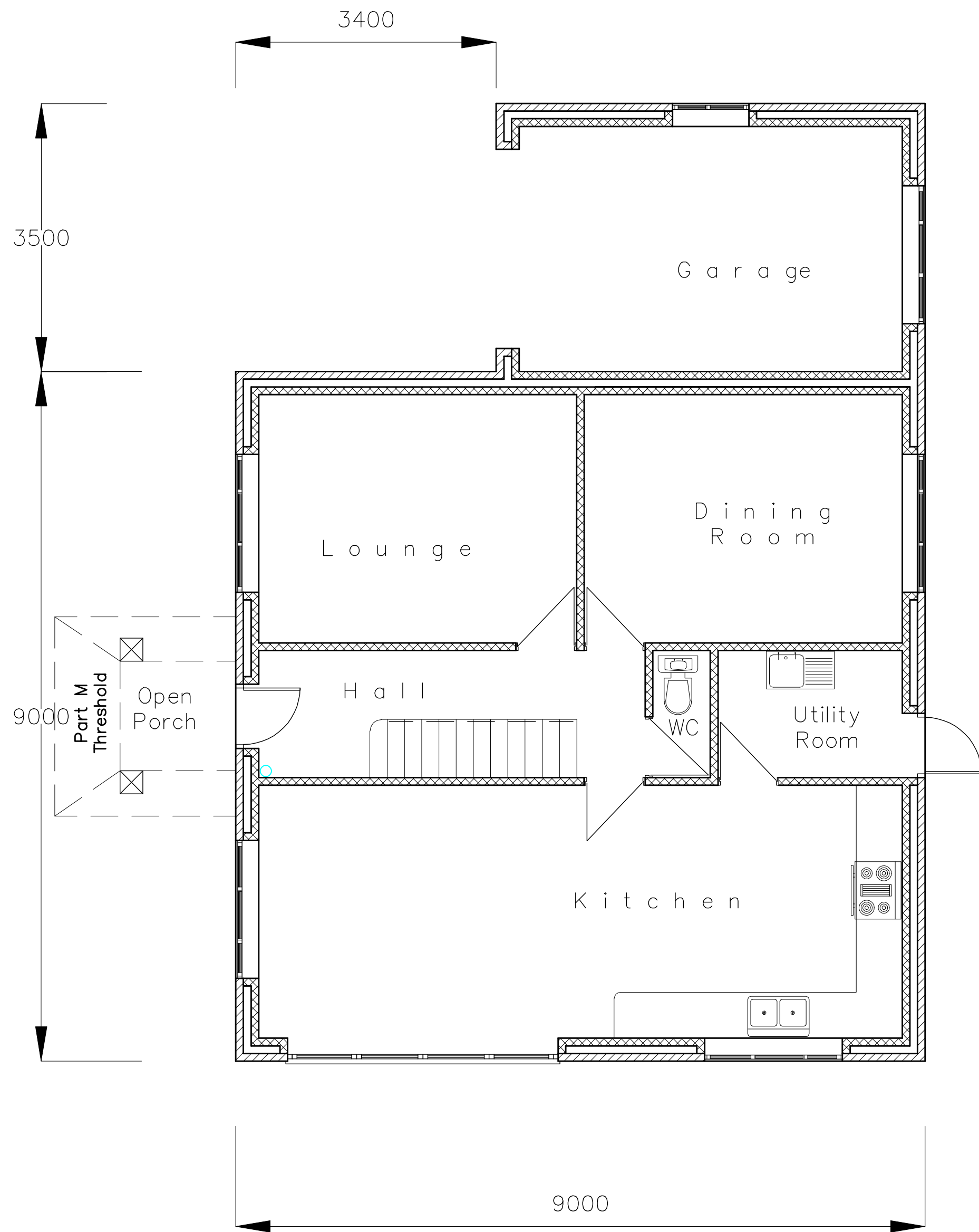
DRAWING TITLE
2D Topographical Survey

DRAWING REF (LAYOUT TAB)	SCALE@A1
1216-150_2D (A1)	1/200
PROJECT REF	REV
1216-150	Ø

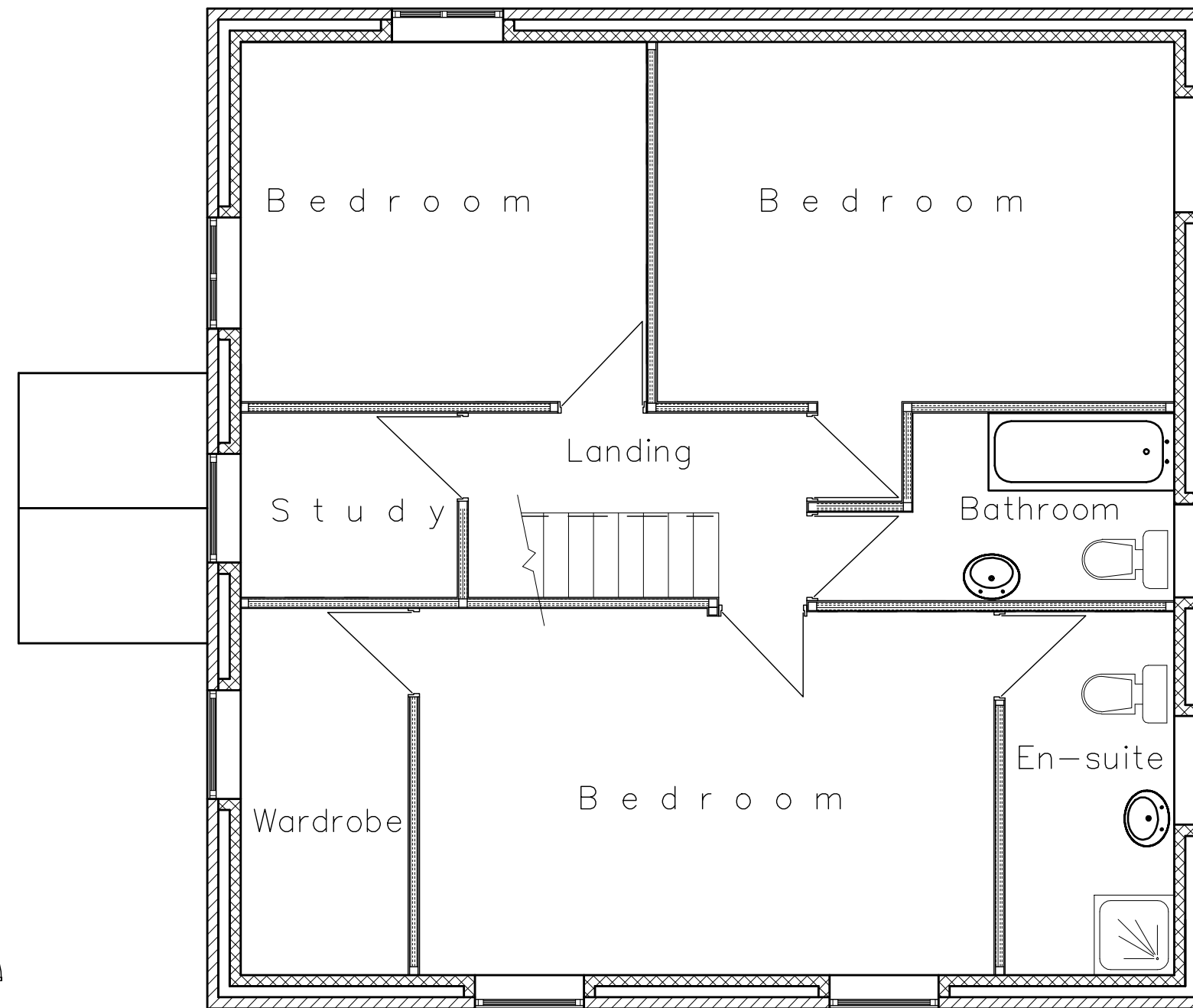
SURVEYED	HR,BF	DRAWN	HR
CHECKED	MT	DATE	04 / 05 / 2021

REV	DATE	DRAWN	DESCRIPTION	CHECKED

This page is intentionally left blank



Proposed Ground Floor Plan



Proposed First Floor Plan

Rev B
Windows added to the north gable walls as requested by the client
at 2nd June 2022

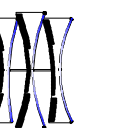
Planning Plan

Proposed Detached House

**JOHN STREET
HEYROD**



**Prepared by:-
A & S INMAN (Designs) Ltd.
24 GRANGETHORPE ROAD
URMSTON
MANCHESTER
M41 9HT**



Phone 0161 747 7433

Drg. No. 1781 / 12 / 21 Sht. 3

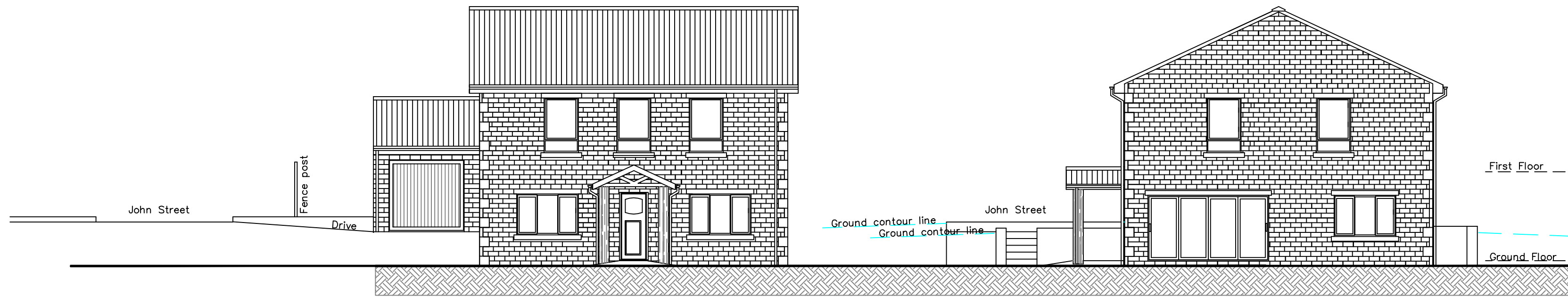
B



Scale 1:50 @ A2

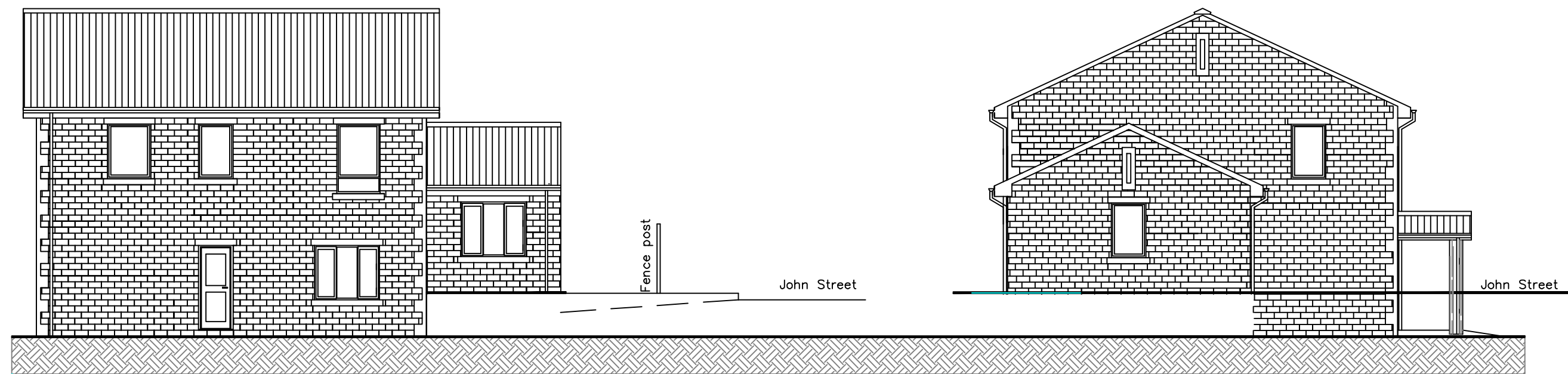
This page is intentionally left blank

Proposed Elevations



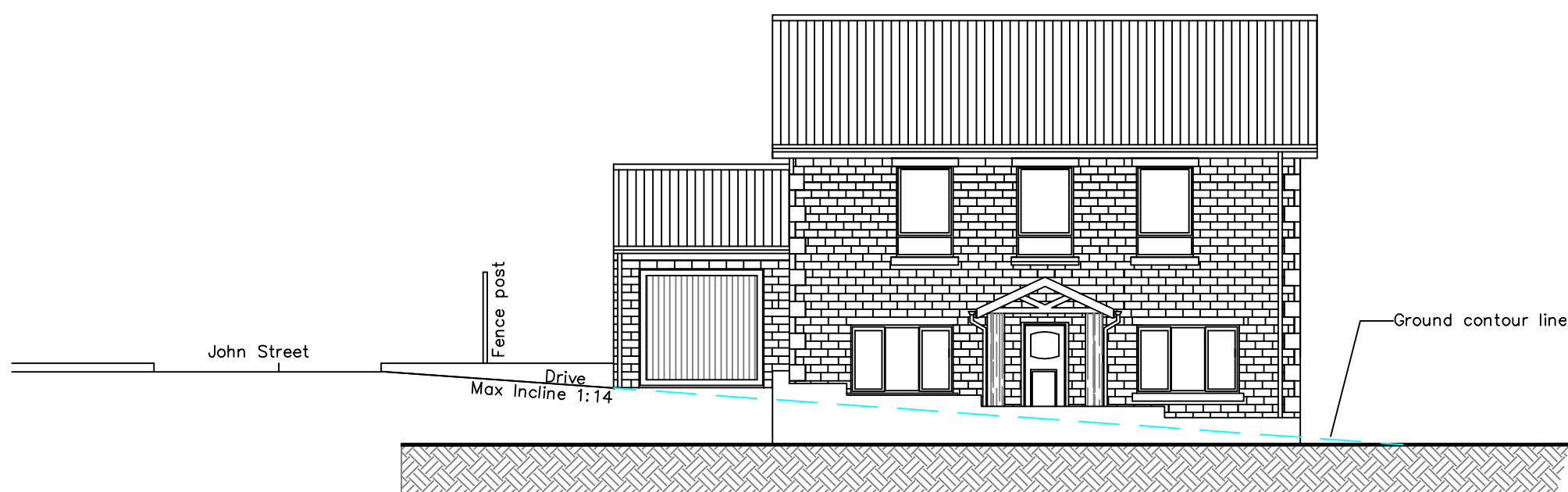
F r o n t
Retaining wall omitted
for clarity

S i d e



R e a r
Retaining wall omitted
for clarity

S i d e
Drive and retaining wall
omitted for clarity



F r o n t
With retaining wall

Scale 1:100 @ A2

Planning Note:-

All windows and doors to be grey uPVC
All window designs should be such that they are compliant with AD Part 'K' – Safe Access for Cleaning Windows.
All bedroom windows to have a minimum unobstructed opening of Not Less Than 0.33sqM and to be in accordance with Approved Document Part B as applicable.

The garage, north gable, bathroom and en-suite windows are to be fitted with obscure glass in accordance with GPDO – October 2008 and as amended where applicable. The obscure glass is to have an obscurity rating of NLT 4 in the Pilkington Glass Range or equivalent obscurity rating and range.

Face brickwork to be natural stone with stone heads and sills with 280mm x100mm natural stone corner coins.

Roof tiles to be slate

Gutters and RW pipes to black

Open porch constructed from green oak sourced from a renewable provider with tiled roof to match the main house roof.

The position of utilities are for illustration purposes and are to be determined and agreed with the client.

Rev D
Foot path width increased to 1800mm
at 15th June 2022

Rev C
Windows added to the north gable walls as requested by the client
at 2nd June 2022

Planning Plan

Proposed Detached House

**JOHN STREET
HEYROD**



**Prepared by:-
A & S INMAN (Designs) Ltd.
24 GRANGETHORPE ROAD
URMSTON
MANCHESTER
M41 9HT**



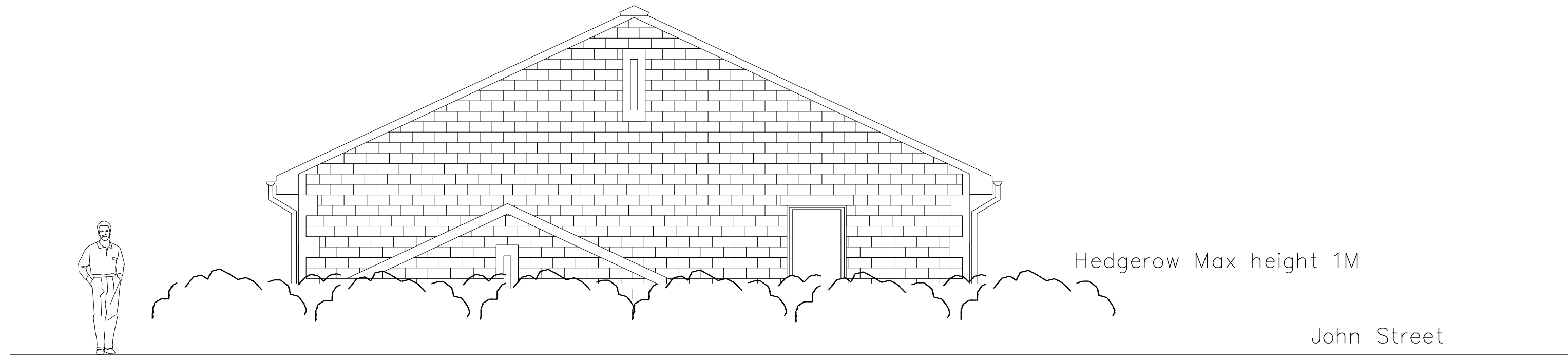
Phone 0161 747 7433

Drg. No. 1781 / 12 / 21 Sht. 2

D

This page is intentionally left blank

Proposed South Elevations – John Street



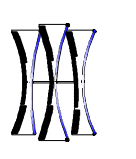
Planning Plan

Proposed Detached House

**JOHN STREET
HEYROD**



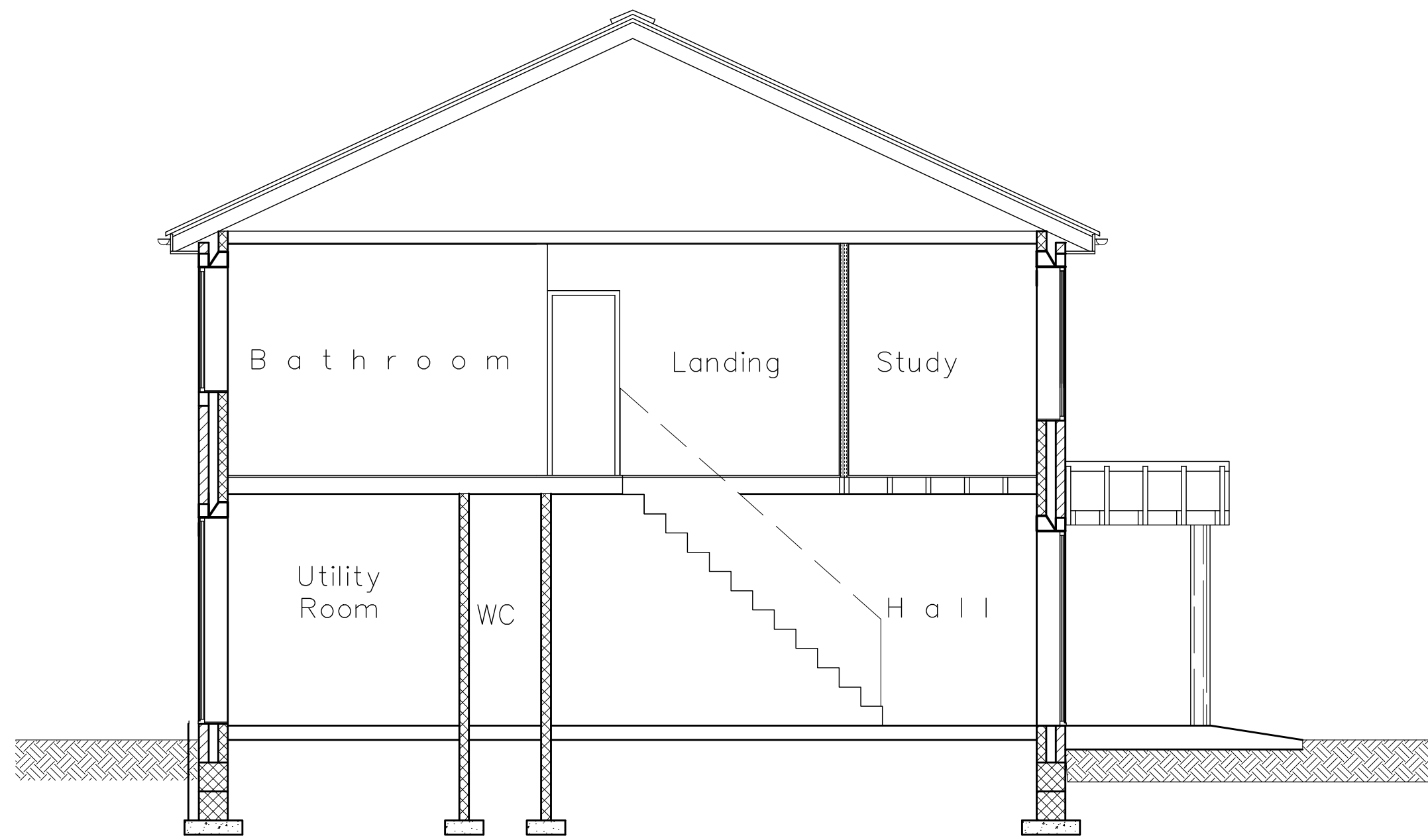
**Prepared by:-
A & S INMAN (Designs) Ltd.
24 GRANGETHORPE ROAD
URMSTON
MANCHESTER
M41 9HT**



Phone 0161 747 7433

This page is intentionally left blank

For Building Regulation and construction purposes this plan is to be read in conjunction with A & S INMAN (Designs) Ltd. General Building Specification GBS 01.00.00 Rev. 'P' and as amended and the Full Plans Approval documentation issued by the Local Authority Building Control Department and as agreed with the BCO.



Nominal 7600

S e c t i o n



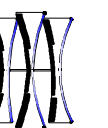
Planning Plan

Proposed Detached House

**JOHN STREET
HEYROD**



**Prepared by:-
A & S INMAN (Designs) Ltd.
24 GRANGETHORPE ROAD
URMSTON
MANCHESTER
M41 9HT**



Phone 0161 747 7433

Drg. No. 1781 / 12 / 21 Sht. 4

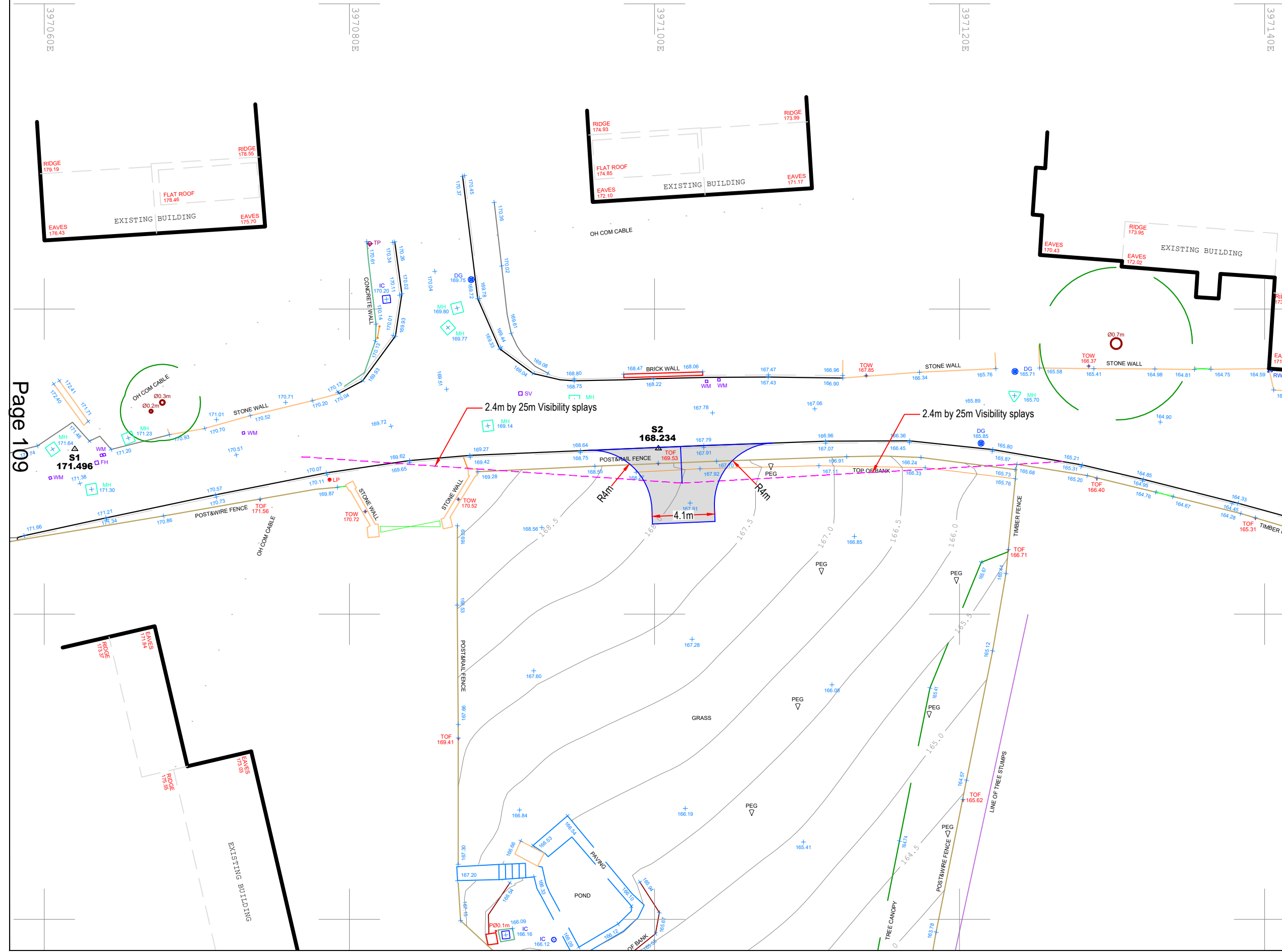
A

This page is intentionally left blank

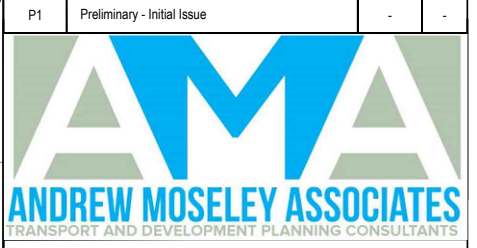
This page is intentionally left blank



NOTES



Page 109



Project:
**JOHN STREET
HEYROD**

Client:
JOHNSON MOWAT

Drawing:
PROPOSED SITE ACCESS

Drawn By: AJA	Date: 19/05/2021
-------------------------	----------------------------

Checked: ATM	Scale: 1:500	A3
------------------------	------------------------	-----------

Drawing No. AMA/21058/SK001	Rev. -
---------------------------------------	------------------

P1

Preliminary - Initial Issue

This page is intentionally left blank







2018





MOORFIELD
FARM










Please clean up
after your dog



FX18 WZ0







This page is intentionally left blank.



This page is intentionally left blank



This page is intentionally left blank

Application Number:	20/00977/FUL
Proposal:	Change of use from domestic dwelling to consulting rooms for the provision of medical and health services.
Site:	Siren House, 437 Stockport Road, Hyde, SK14 5ET
Applicant:	Mr & Mrs Knowles
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required because, in accordance with the Panel's Terms of reference, the Head of Service considers that the application raises issues about which a member of the public has requested the opportunity to address the Panel before a decision is made. Accordingly, the applicant, or their agent, has also been given the opportunity to speak.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 Formerly forming a flat-roofed, single-storey annex at the side of a what was a detached house, known as Overdale, the property known now as Siren House, to which the application relates, was formed following the grant of planning permission (ref. 13/00850/FUL) allowing for the sub-division of the original house to form flats. The same permission then allowed for the construction of a pitched roof on the annex so as to allow for accommodation to be provided on 2 floors, utilizing the roofspace.
- 1.2 The building occupies a corner plot at the junction of Stockport Road and Rosemary Drive in the Gee Cross area of Hyde. Approximately 40m to the west of this junction Stockport Road adjoins Dowson Road (A627) and continues south-westward towards Stockport and is the main road between Hyde and Stockport. Rosemary Drive is a narrow, unadopted, no-through road that serves nine detached houses. The location is within an established residential area.

2. PROPOSAL

- 2.1 The proposal seeks planning permission retrospectively for the change the use from a dwellinghouse to consulting rooms for the provision of medical and health services. The consulting rooms would occupy the ground-floor, whilst the upper floor would provide ancillary accommodation for practitioners.

3. PLANNING HISTORY

- 3.1 13/00850/FUL - Alterations and extension of existing annex to form a 2 bedroomed apartment - Approved 23.01.2014

4. PLANNING POLICY

National Planning Policy Framework (NPPF)

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).
- 4.5 Tameside Unitary Development Plan (2004)

Part 1 Policies

- 1.3 Creating a Cleaner Greener Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 Part 2 Policies

- H2: Unallocated Sites.
- H4: Type, Size and Affordability of Dwellings.
- H10: Detailed Design of Housing Developments.
- T10: Parking.
- C1: Townscape and Urban Form
- N5: Trees Within Development Sites
- MW11: Contaminated Land

Other relevant policies

- 4.7 Employment Land Supplementary Planning Document
- 4.8 It is not considered there are any local finance considerations that are material to the application.

Places for Everyone

- 4.9 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.10 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there

are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

- 4.11 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.12 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect to private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.13 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been publicised by neighbour notification letters.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 Representations have been received from four neighbouring households, and one other third party, and these object on the grounds that:
- the lack of off-street parking provision is causing congestion, restricting access for residents, and so creates a road traffic hazard near to the main road junction;
 - that the application is retrospective, and that advertisements are already being displayed, shows a lack of respect for due process;
 - the commercial use of the property is unconducive to the character of the residential area; and,
 - there is a covenant restricting the use to a dwellinghouse only.
 - it is alleged that certain neighbours did not receive notification letters.

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority (LHA) has raised no objections.
- 7.2 The Head of Environmental Services (Public Protection) has raised no objection and suggested that conditions: restricting the hours of construction/conversion work, and use thereafter and, requiring all fixed plant and machinery shall be acoustically treated/designed, be attached to any permission.

8. ANALYSIS

8.1 The application being for the change of use only, the issues to be considered in the determination of the application are:

- the principle of the change of use, and its impact on existing amenities; and,
- the impact on highway safety and the road network.

9. PRINCIPLE OF THE CHANGE OF USE

9.1 Support for the principle of the application proposal is found in paragraph 93 of the NPPF, which states that:

“Planning policies and decisions should...plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.”

9.2 The proposed use, falling within Use Class E, comprises a commercial, business or service use. The Employment Land SPD then recognises that:

“Many businesses can be carried on in...residential areas without causing unacceptable disturbance through increased traffic, noise, pollution or other adverse affects (and) that it may not be appropriate to separate industry and commerce (especially small-scale developments) from the communities for whom they are a source of employment and services. There are a number of employment uses that are, by definition, acceptable in residential areas.”

9.3 The application does not state the proposed hours of use. As is suggested by the Head of Environmental Services (Public Protection), a condition it is recommended be attached to any permission is to restrict the hours of use to between 08.00am and 06.00pm. Given the characteristics of the proposed use as consulting rooms for the provision of medical and health services it is accepted that such activity can be carried on in the residential area, at these times, without causing unacceptable disturbance to any existing amenities.

10. HIGHWAY SAFETY AND THE ROAD NETWORK

10.1 The single consulting room comprises approximately 14 square metres of floor space. The services offered, in the main, relate to people that have musculoskeletal issues and clients are dealt with singly, individually and by appointment. The LHA are satisfied that there is sufficient capacity within the immediate vicinity to accommodate any potential on street parking resulting from the development.

10.2 There is space enough to park two cars off-street at the side of building alongside Rosemary Drive and so, despite the absence of any discrete cycle storage provision, it is considered that there would not be an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe

11. OTHER ISSUES

11.1 A number of other issues have been raised by third parties that can be addressed as follows.

11.2 It is acknowledged that the application is retrospective, but such applications can be submitted under section 73A of the Town and Country Planning Act 1990 (as amended).

Whilst the concerns about this are acknowledged, the law allows for this to happen. The fact that the application is retrospective is not material to the decision.

- 11.3 It is stated that there is a covenant restricting the use of the property to a dwellinghouse. The local planning authority cannot enforce this private right. The courts have held this is not material to a planning decision.

12. CONCLUSION

- 12.1 The principle of the development being acceptable, without impinging unduly on any existing amenities, it is considered that the proposed change of use conforms to the relevant requirements of the UDP and the NPPF, and, there being no other material considerations to indicate otherwise, the recommendation is for approval.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out in full accordance with the following plan:

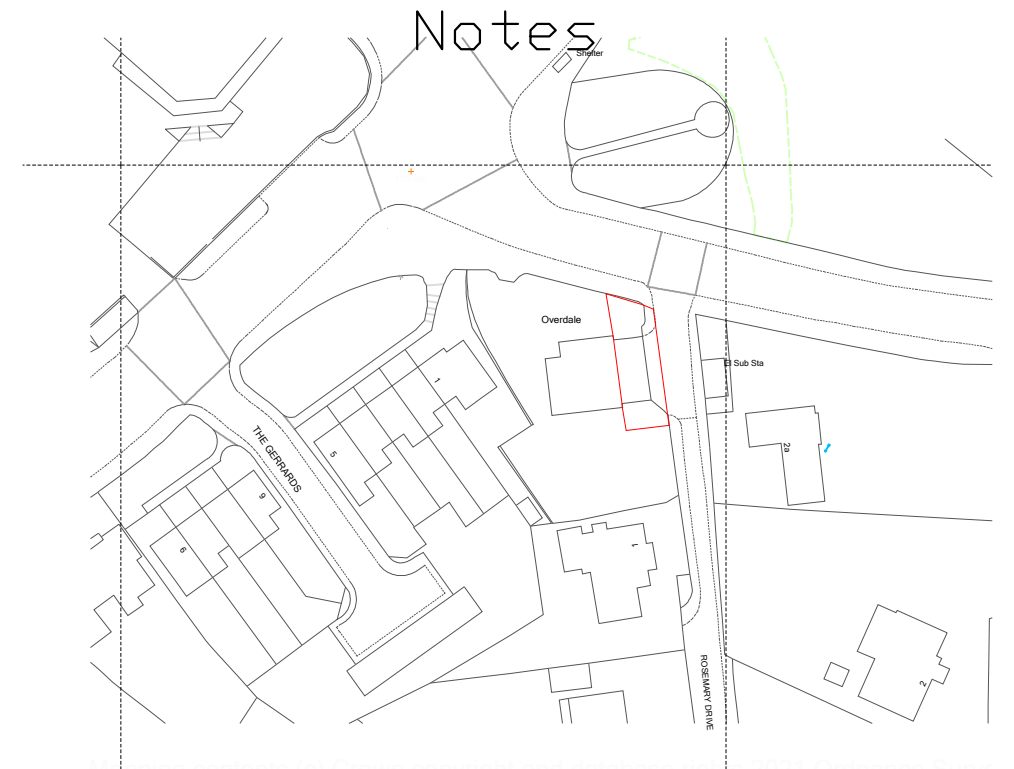
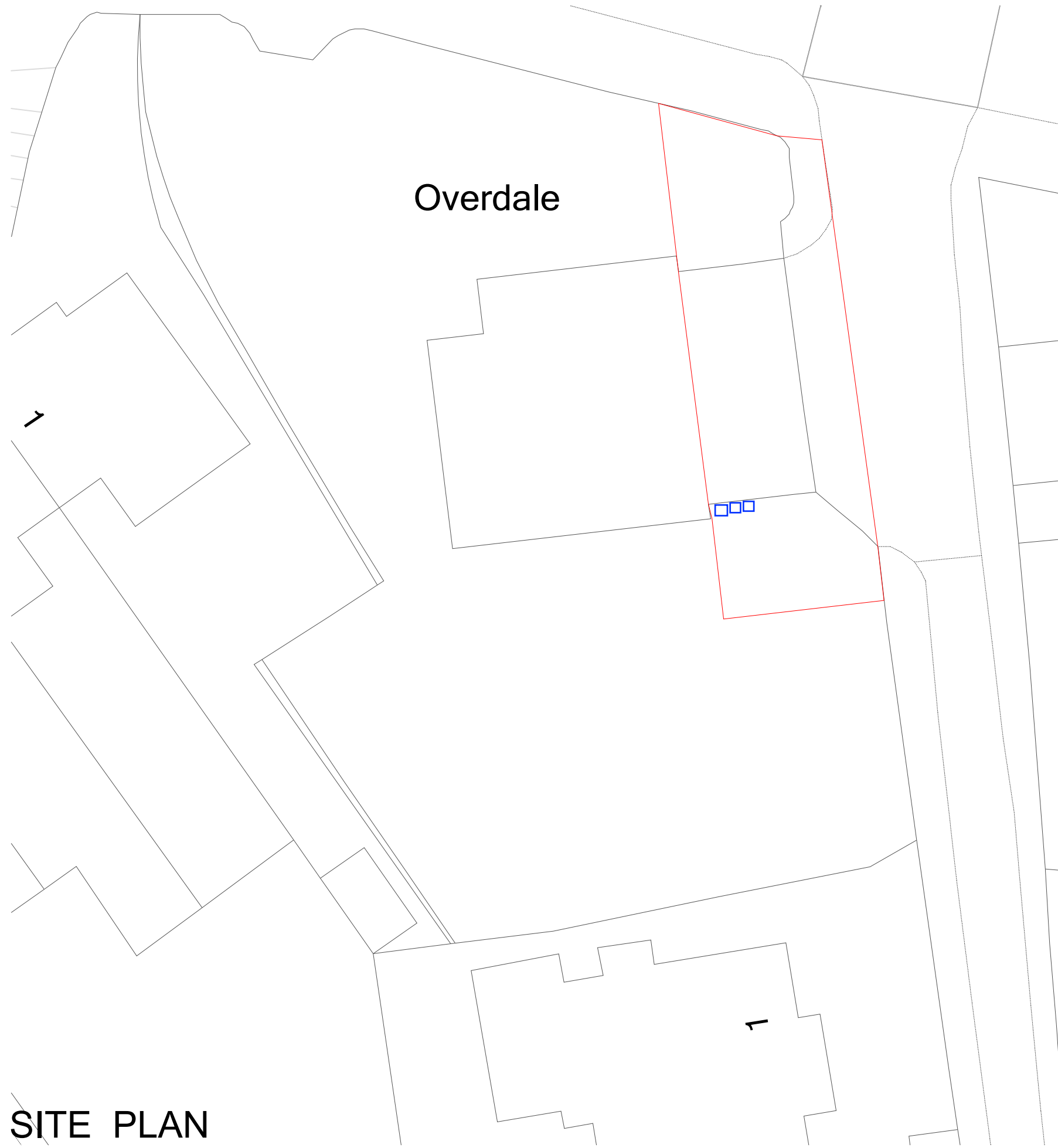
- the Location and Site Plans – Con 001 received on 05.04.2022.

Reason: For the avoidance of doubt

- 3) The premises shall be used for the provision of medical or health services, principally to visiting members of the public and for no other purpose (including any other purpose in Class E of Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: In the interests of the amenities of local residents

This page is intentionally left blank



LOCATION PLAN



R. Al-Hamdani RIBA
Victoria Mill
Princess Street
Lees
Oldham OL4 5AF

Client **Mr and Mrs Knowles**

Project **Siren House, 437 Stockport Road, SK14 5ET**

Drawing Title **Location and site Plans**

A3	Scale	Drawn	Checked
	1:200 & P1250	5/8/2021	

Cad Ref f:\saleem\saleem house layout

Project No.	Drawing No.	Revision
	Con 001	

200

Page 135

200

Plotted by Owner on 21/08/2013 15:43:00 at 1:1 plot scale

0,0 Microfilm Registration Marks

100

200

300

This page is intentionally left blank

View from Stockport Road



View from Rosemary Drive towards Stockport Road



This page is intentionally left blank

Application Number:	22/00433/FUL
Proposal:	Proposed upper level side patio and external steps and other external alterations including render to front and side elevation, new windows to the front elevation and landscaping works (re-submission further to 21/01204/FUL) (part-retrospective).
Site:	21 Richmond Crescent, Mossley, OL5 9LQ
Applicant:	Mr Doug Kenney
Recommendation:	Refuse planning permission.
Reason for Report:	A Speakers Panel decision has been requested by a Member of the Council.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to 21 Richmond Crescent, a semi-detached bungalow sited within an established residential area within Mossley. The application property is built in a rustic red brick with a tiled gable roof and a sandstone clad stepped-out feature to the front elevation. The property is located in a raised position on a corner plot and forms part of a row of similar and equally spaced semi-detached bungalow properties. The original character of the street remains relatively intact with consistent scale and massing. As a result of its position, both the front and side elevations are visible from the public realm. To the north-facing side elevation there is an existing pitched gable single storey side extension. The original sloping garden has been excavated, exposing the brick foundations of the bungalow.
- 1.2 The application property is adjoined to no.23 Richmond Crescent to the south and shares a side boundary with no.19 Richmond Crescent to the north-east. The rear boundary is shared with no.17 Richmond Crescent.

2. PROPOSAL

- 2.1 The application seeks part-retrospective planning permission for a raised patio to the side of the property with associated external steps, new render to front and side elevations, new windows to the front elevation and landscaping works to the front and side of the property.

3. PLANNING HISTORY

- 3.1 82/01256/FUL Garage and Bedroom Extension – Approved 27.10.1982
- 3.2 12/01000/FUL Installation of windows in gable and excavation of front garden - RETROSPECTIVE and proposed verandah, erection of post and panel fencing and laying of paving at front of house – Approved 21.12.2012

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 4.4 The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, specifying within section 12 that good design is a key aspect of sustainable development. Consequently, it is stated that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design
- 4.5 **Planning Practice Guidance (PPG)**
This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

Development Plan

The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.6 **Tameside Unitary Development Plan (UDP) Allocation**

4.7 Unallocated, within the Mossley Ward

4.8 **Part 1 Policies:**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development

4.9 **Part 2 Policies:**

- H10: Detailed Design of Housing Developments
- C1: Townscape and Urban Form

Supplementary Planning Documents

Residential Design Guide Supplementary Planning Document:

- RED1: Acknowledge Character

Other Relevant Policies

4.10 National Design Guide (2021)

Illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Places for Everyone

4.11 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

4.12 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.13 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

4.14 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in regard to respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4.15 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

5.1 In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the Tameside Statement of Community Involvement, the adjoining owner or occupiers were notified of the proposed development by neighbour notification letters.

6. SUMMARY OF THIRD PARTY RESPONSES

6.1 There have been 27 letters of support in relation to the proposal, including a response from Mossley Town Council and a call in request from Councillor Stephen Homer.

The letters of support received have been summarised below:

- The proposal improves the appearance of the property in contrast to the pre-existing situation

- The proposed development is aesthetically pleasing and enhances the appearance of the property
- No objection to the new windows to the lower ground floor level

Other Matters:

- Drainage
- Will add value to the property and other properties on the street will benefit from this

7. RESPONSES FROM CONSULTEES

7.1 None received.

8. ANALYSIS

8.1 The main issues to consider in the determination of this application are:

- The principle of the development;
- Design and local character;
- Residential amenity;
- Other matters.

9. PRINCIPLE

9.1 The site is unallocated, is a residential property and a proposed extension to the property would maintain the residential intensity of the site and subject to design/ amenity considerations, as outlined below. The proposal is therefore acceptable in principle subject to both design and amenity.

10. DESIGN AND APPEARANCE

10.1 Policies C1 and H10 of the Tameside Unitary Development Plan (UDP) state proposals should respect the nature of surrounding fabric and relationship between buildings and that housing developments should be of high quality, complementing and enhancing the character and appearance of the surrounding area.

10.2 Policy RED1 of the Residential Design SPD requires that proposals should apply an architectural style that reflects the existing dwelling and surrounding area and should not alter the scale and mass of the existing dwelling.

10.3 Officers consider the proposed raised terrace and associated external steps to be of a size and scale that is acceptable and a subordinate addition to the plot to which the application property is set and are not expected to cause undue impacts on the street scene.

10.4 The proposed stone-coloured rendering of the part front and part side elevation will not detract from the character of the property itself, nor the wider area and is therefore considered to be acceptable in accordance with SPD Policy RED1.

10.5 The Council acknowledges that a basement level of the property has been established and approved by the previous planning application under reference 12/01000/FUL. Notwithstanding this, we now have an application before us, which proposes external alterations, which will affect the character and appearance of the local area.

- 10.6 The street scene in this location of Richmond Crescent is characterised by semi-detached bungalow dwellings of a similar appearance. The addition of windows to the principle elevation at the lower ground floor level would be an unduly dominant addition to the application property, with the new windows perceived as an additional storey to the bungalow dwelling. The prominent positioning of the application property, which is sited on a corner-plot and raised from the street level, exacerbates the harm from the proposed development.
- 10.7 Moreover, the form and scale of the new windows fails to have regard to the existing style of fenestration, contributing on the whole towards the incongruent appearance of the scheme.
- 10.8 The proposal as presented would not harmonise with, respect or reference any other property within the locality or surrounding area and would appear as an insubordinate and incongruous feature. The extensions/alterations would cumulatively serve to unbalance the semi-detached pair and the scheme would be harmful to and detract from the character and appearance of the existing street scene.
- 10.9 For the aforementioned reasons, the proposed overall development would be out of keeping and visually jarring when taking into account the predominantly single storey, uniform appearance of the properties along Richmond Crescent. Overall, the proposed additions and alterations to the application property are unacceptable, failing to comply with UDP Policies C1, H10 and SPD Policy RED1.

11. RESIDENTIAL AMENITY

- 11.1 Paragraph 130 (f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants.
- 11.2 Locally, the adopted Tameside UDP Policy H10 requires that any development, including extensions, should not have unacceptable impacts on the amenity of neighbouring properties through loss of privacy nor overshadowing.
- 11.3 In addition, Tameside Residential Design Supplementary Planning Document (March 2010) (the SPD) contains specific standards and guidelines for different development types to ensure that no undue amenity impacts are caused to the occupiers of neighbouring properties. Policy RED2 establishes guidelines for sunlight distances; in order to ensure that developments do not cause unacceptable overshadowing or loss of natural light, minimum distance allowances have been implemented between new developments and existing properties.
- 11.4 It is considered that the proposals would not contribute to any undue impacts to the occupants of neighbouring properties in terms of overlooking/loss of privacy, overbearing impact, loss of light/overshadowing and is therefore acceptable in amenity terms.
- 11.5 In light of the above, the proposed scheme is deemed to meet the standards and guidelines set out under the SPD Policy RED2 and Policy H10 of the adopted Tameside UDP and the NPPF.

12. OTHER MATTERS

- 12.1 It is noted that 27 letters of support have been received in relation to the proposal. The letters of support primarily raise the issue of a bringing the dwelling back into use, however this is not a material planning consideration in the assessment of the application.

13. CONCLUSION

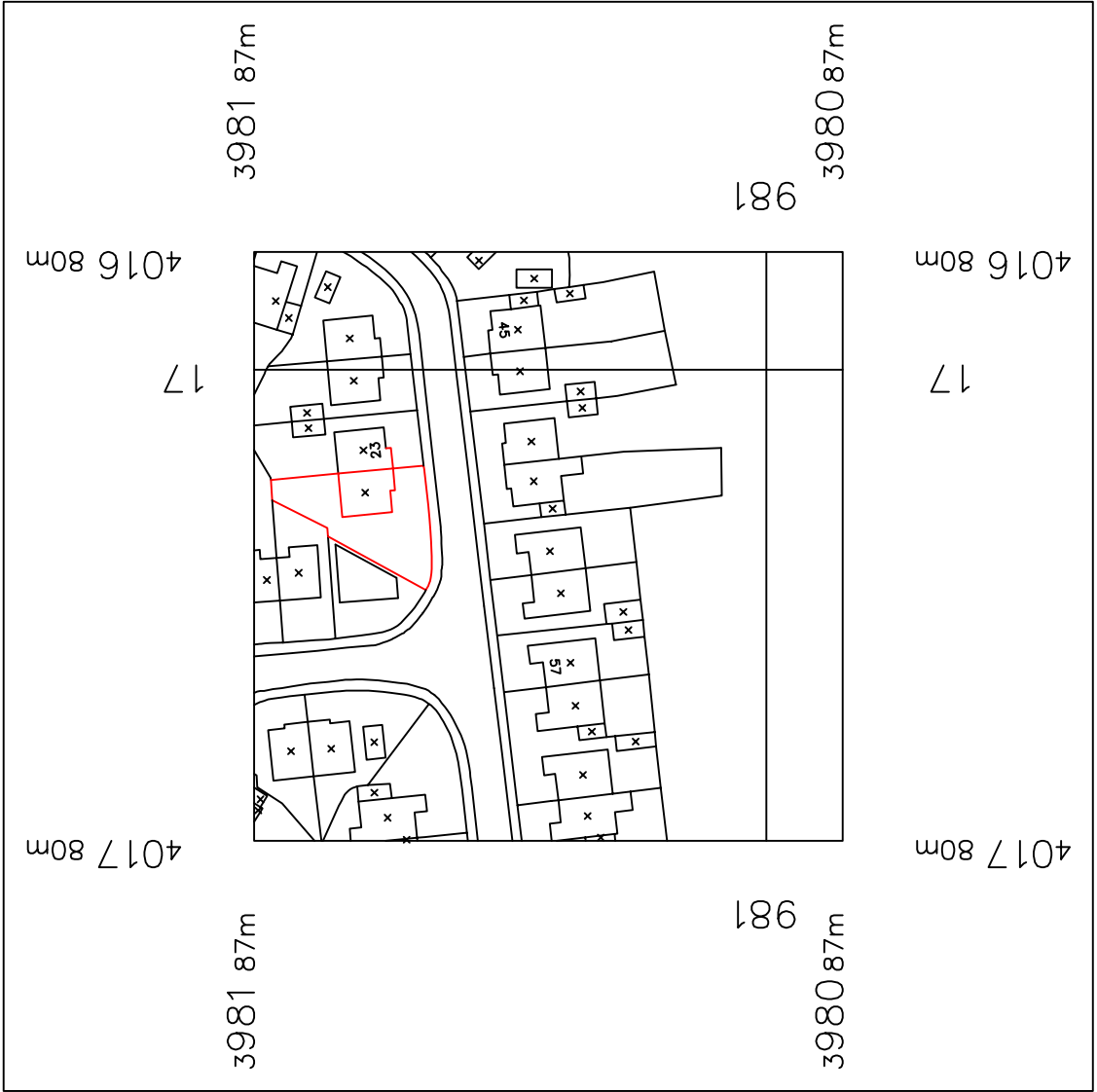
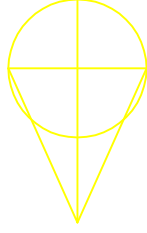
13.1 To conclude, it is considered the proposal would conflict with Policies C1 and H10 of the Tameside Unitary Development Plan and Policy RED1 of the Tameside Residential Design Supplementary Planning Document. The application is therefore recommended for refusal.

RECOMMENDATION

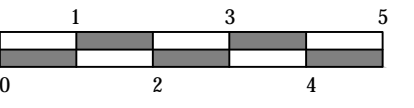
REFUSE planning permission for the following reason:

1. The proposed overall development would be out of keeping and visually jarring when taking into account the predominantly single storey, uniform appearance of the properties along Richmond Crescent, harming the character and appearance of the host property and semi-detached pair. Overall, the proposed additions and alterations to the application property are unacceptable, failing to comply with UDP Policies C1, H10 and SPD Policy RED1.

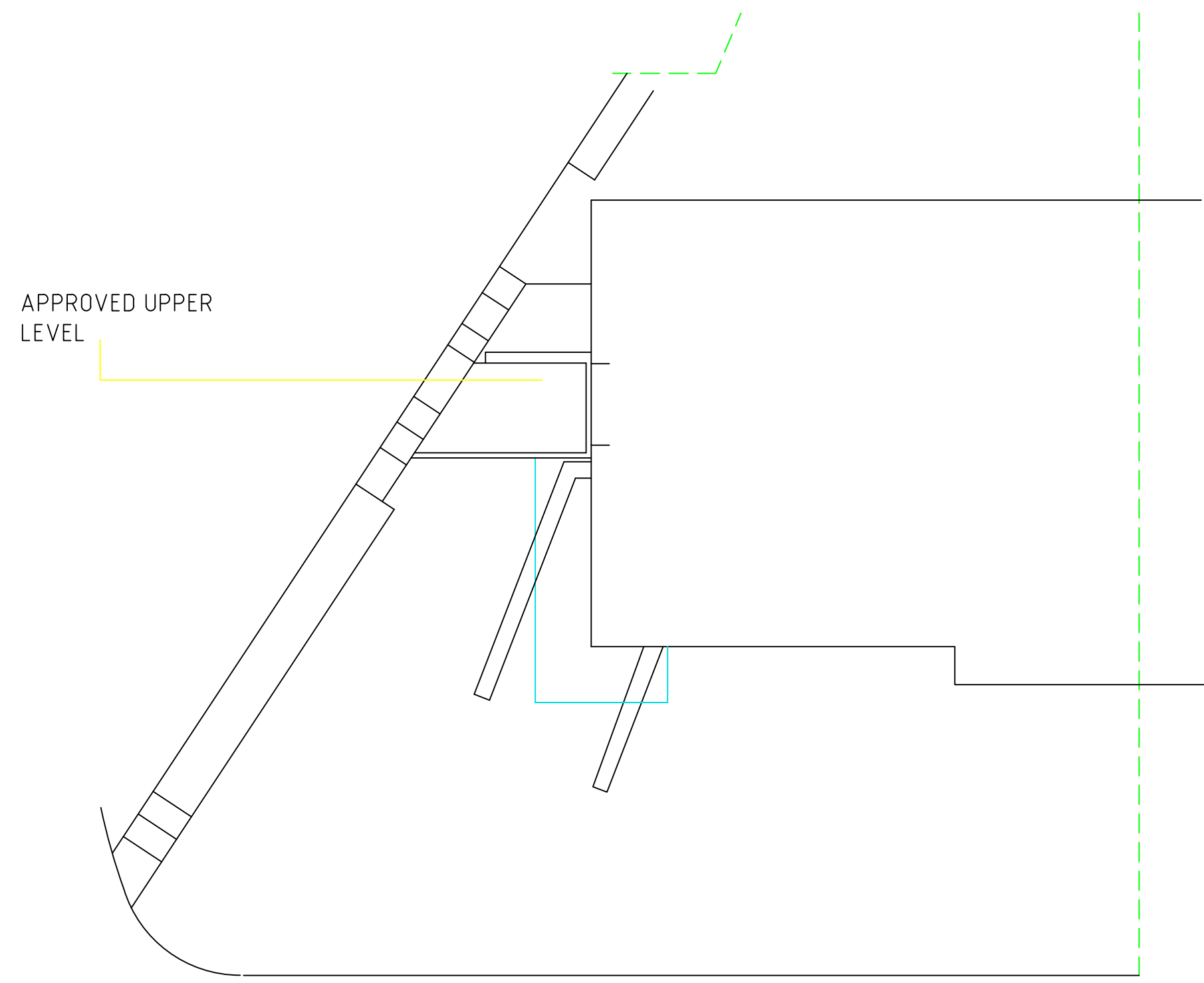
21 RICHMOND CRESCENT, MOSSLEY
1:1250 LOCATION PLAN



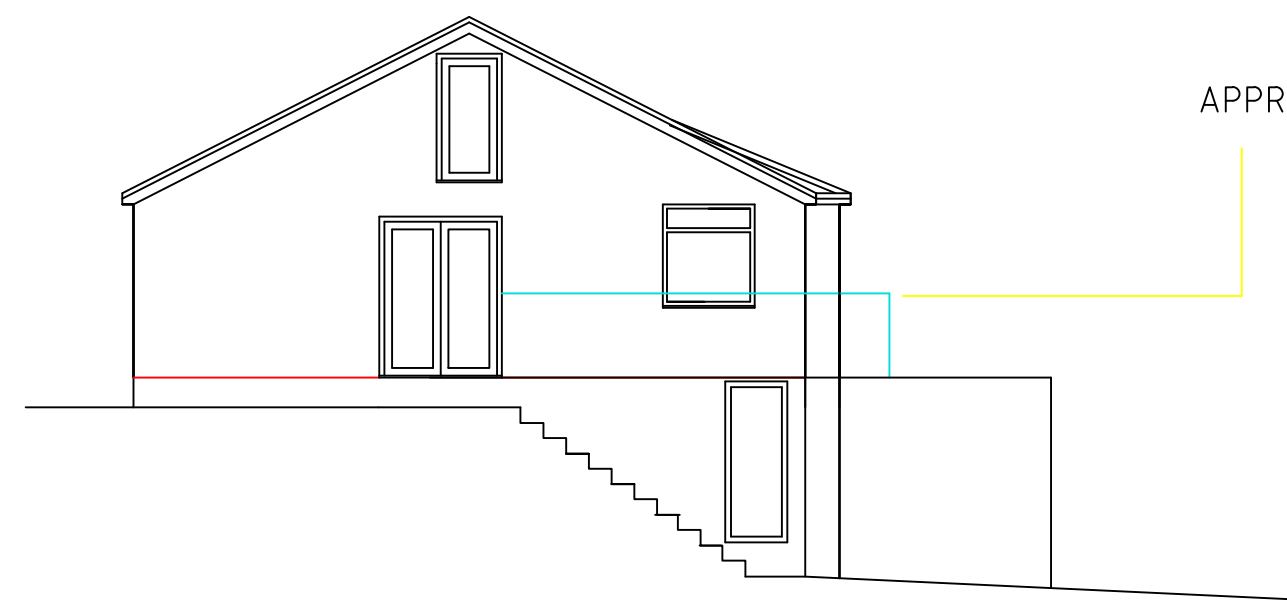
This page is intentionally left blank



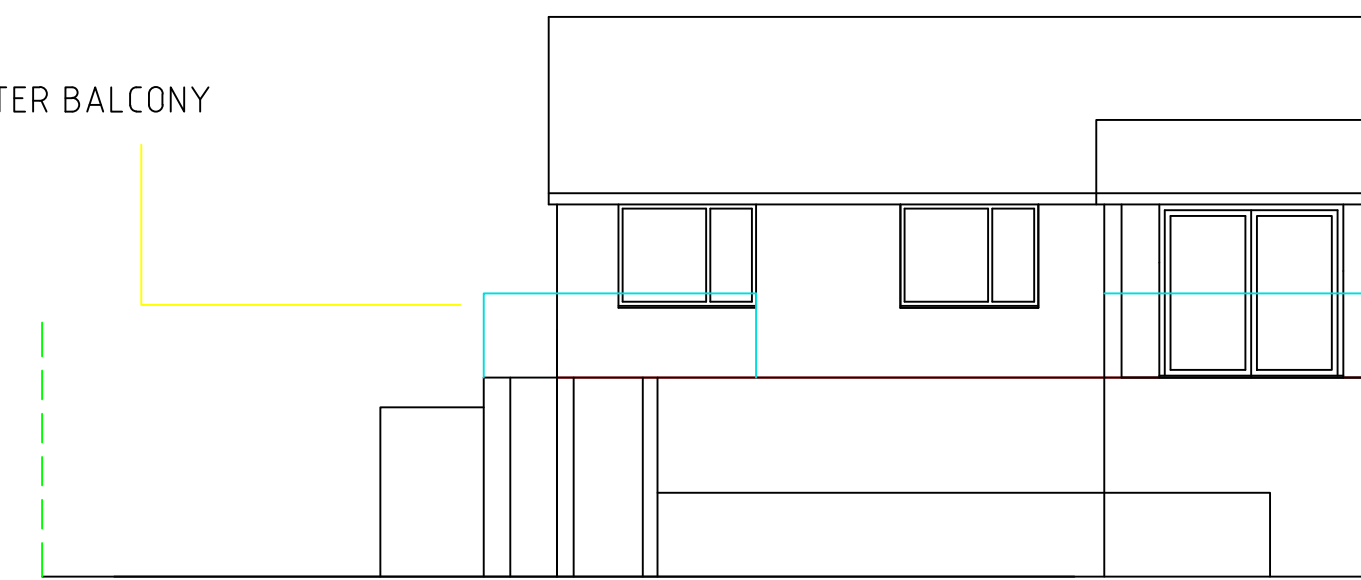
SCALE BAR



APPROVED SITE PLAN- WORK IN PROGRESS



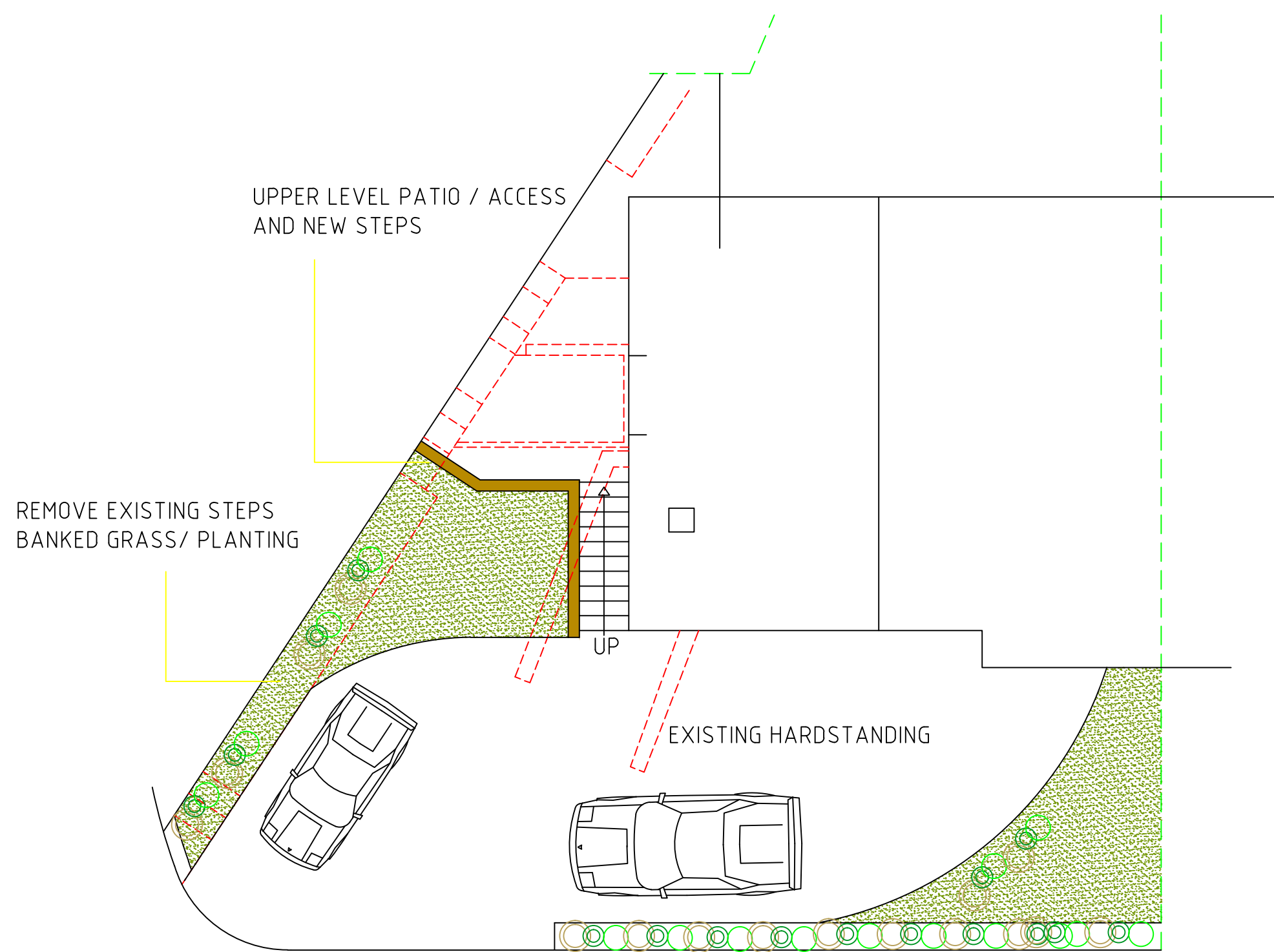
APPROVED SIDE ELEVATION- WORK IN PROGRESS



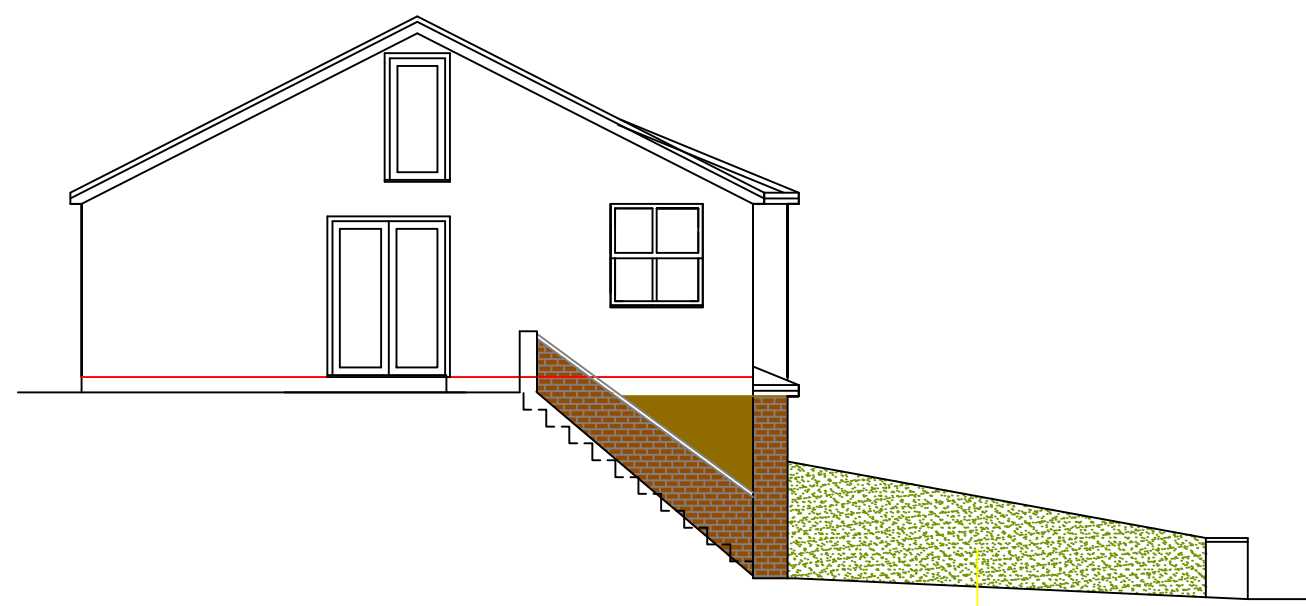
APPROVED FRONT ELEVATION- WORK IN PROGRESS

Page 147

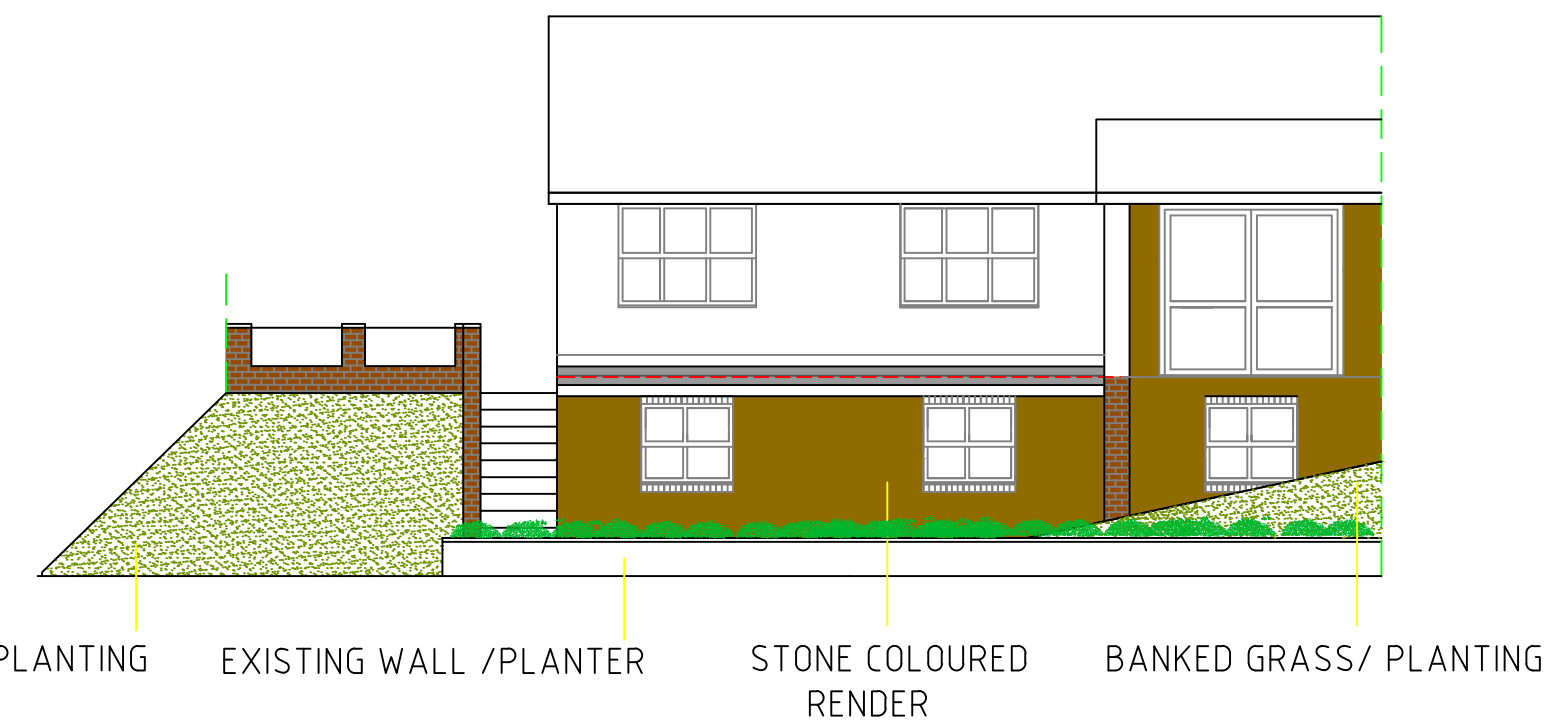
ELEVATIONS TREATMENT:
- GREY BRICK HEADER/CILL
- GREY WINDOW AND DOOR
- RENDERED PANELS AS SHOWN



PROPOSED SITE PLAN



PROPOSED SIDE ELEVATION



PROPOSED FRONT ELEVATION

REV.	DESCRIPTION	DATE

pharchitecture
 DOMESTIC.COMMERCIAL.INTERIORS
 7 LARKWOOD CLOSE, CARRBROOK,
 STALYBRIDGE, CHESHIRE, SK15 3NL.
 E:pha@sky.com M:07967233507

Drawing Number, 021/WA/001	Date OCT.21
Revision, A	Scale, 1:100 Drawn, PH

Drawing / Job Title,
 PROPOSED EXTENSION TO EXISTING UPPER LEVEL SIDE PATIO AND EXTERNAL STEPS AND OTHER EXTERNAL ALTERATIONS INCLUDING RENDER TO FRONT AND SIDE ELEVATION, NEW WINDOWS TO THE FRONT ELEVATION AND LANDSCAPING WORKS (RE-SUBMISSION FURTHER TO 21-01204/FUL) (PART RETROSPECTIVE)
 EXISTING & PROPOSED PLANS.

Client,
 MR D KENNEY
 21 RICHMOND CRESCENT
 MOSSLY
 OL5 9LQ

This page is intentionally left blank



Page 1/10

21

MT70 JXY

NV18 SPZ



Page 150

ML66





5022



25

25



21

halfords

NV18 SPZ

W170 JXY



HV14 ZCL

Application Number:	22/00530/FUL
Proposal:	Full approval for the erection of 29no. dwellings and associated works.
Site:	Newton Business Park, Cartwright Street, Hyde
Applicant:	Wain Homes North West Ltd
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required in accordance with the Council's constitution because this is a major application as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE AND SURROUNDINGS

- 1.1 Having originally comprised a large former ICI factory site dating from the 1920s, Newton Business Park occupies approximately 7 hectares of land close to the edge of the north-eastern corner of the built-up area of Hyde, some 2km to the north-east of the town centre, and includes a number of commercial buildings of various sizes.
- 1.2 The Business Park is bounded to the north, and, after the road turns to the south, to the east by Talbot Road and to the west by Cartwright Street, and wraps around behind houses in both roads. To the south the site abuts an area of open land before houses on the southern side of Victoria Street.
- 1.3 Levels change throughout the site and the land is graded to form a number plateaus and there is a general slope, with a fall of approximately 10m, from Talbot Road to the southern boundary
- 1.4 In December 2016 outline planning permission (ref. 16/00054/OUT) was granted for the demolition of all existing on site structures and the redevelopment of the site for residential dwellings on 2.2ha of land on the western side of the Business Park that fronts on to Cartwright Street. Subsequently, application (ref. 17/01089/REM) for approval of the matters held in reserve, namely appearance, landscaping, layout and scale, was granted, with conditions, in November 2018. All pre-existing structures and buildings have been cleared from the site.
- 1.5 The current application relates to approximately 1.2ha of land within the wider residential development site and comprises mainly the south-eastern portion.
- 1.6 The remainder of the Newton Business Park site measuring 4.2ha that sits outside of the site where residential development has been approved is to be retained for commercial use.

2. PROPOSAL

- 2.1 The proposal is, in effect, an amendment to the existing redevelopment scheme. The proposed amendment has come about, in part, because there is a culverted watercourse in the southern part of the wider site and any estate roads crossing the culvert will not be adopted. The amendment avoids any part of the estate road that is to be adopted crossing

the culvert. It also allows for the introduction of two additional houses in to the wider development.

- 2.2 The general form of the development would remain similar to that approved. After the access road enters the site there would be spurs to the north and the south. All of the estate road is included in the current application site. The houses served by the northern spur, and those to the west of the southern spur, would remain as approved. The proposed amendment relates to the layout and house types to the east of the southern spur.
- 2.3 At the southern end the spur loops around to end as a cul-de-sac with a vehicle turning-head. There would be short cul-de-sac projecting eastward mid-way along the southern spur. The houses along the road would face on to the road spur and in to the site. As approved previously, houses at the southeastern corner of the site would be served by private driveways
- 2.4 Of the 29 houses proposed
- 18 would be detached
 - 8 would be semi-detached, and
 - 3 would be in a terrace/mews.
- 2.5 All but one of the house types are present elsewhere in the wider scheme. As in the wider scheme, all of the houses would be provided with private rear gardens and defined, defensible space at the front. Two car parking spaces would be provided for each of the houses, whether in a courtyard arrangement, on driveways or in detached or integral garages. The road layout retains various integral traffic calming measures such as pinch points, raised tables and varied surface treatments so as to encourage reduced vehicle speeds within the development.
- 2.6 A concurrent application (ref. 22/00418/FUL), also on this agenda, seeks a approval for a non-material amendment to the extant permission to allow for modifications to the house types.

3. PLANNING HISTORY

- 3.1 16/00054/OUT - Demolition of all existing on site structures and the redevelopment of the site for residential dwellings (Use Class C3), landscaping, boundary treatments and vehicular access from Cartwright Street – outline – Approved 16.12.2016.
- 3.2 17/01089/REM - Approval of reserved matters (appearance, landscaping, layout and scale) for a proposed scheme of 64 dwellings following the grant of outline planning permission. – Approved 16.11.2018.
- 3.3 18/00019/PLCOND - Approval of details reserved by condition 10 of planning permission ref. 16/00054/OUT. Approved/discharged 06.04.2021.
- 3.4 21/00010/PLCOND - Approval of details reserved by condition 14 (temp vehicle facilities) of planning permission ref. 16/00054/OUT. - Submitted scheme approved 11.02.2021. Discharge subject to implementation.
- 3.5 21/00009/PLCOND - Approval of details reserved by condition 11 (drainage) of planning permission ref. 16/00054/OUT. - Submitted scheme approved 08.04.2021. Discharge subject to implementation

- 3.6 21/00008/PLCOND - Approval of details reserved by conditions 8 and 9 (ground contamination and remediation) of planning permission ref. 16/00054/OUT – Pending decision.
- 3.7 21/00006/PLCOND - Approval of details reserved by condition 1 (external materials) of planning permission ref. 17/01089/REM – Pending a decision.
- 3.8 21/00588/CLUD - Certificate of lawful development to confirm that: outline planning permission (LPA reference: 16/00054/OUT) and the subsequent reserved matters approval (LPA Reference:17/01089/REM) have been lawfully commenced such that the development may lawfully be carried on and completed at any time in the future. – Approved 08.06.2021.
- 3.9 22/00040/PLCOND - Full discharge of condition 8 and condition 9 (ground conditions & remediation) of planning permission 16/00054/OUT. – Pending a decision.

4. PLANNING POLICY

National Planning Policy Framework (NPPF)

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).
- 4.5 Tameside Unitary Development Plan (2004)

Part 1 Policies

- 1.3 Creating a Cleaner Greener Environment
- 1.5: Following the Principles of Sustainable Development.
- 1.10: Protecting and Enhancing the Natural Environment.
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 Part 2 Policies

- H2: Unallocated Sites.
- H4: Type, Size and Affordability of Dwellings.
- H10: Detailed Design of Housing Developments.

- T1: Highway Improvement and Traffic Management.
- T10: Parking.
- C1: Townscape and Urban Form
- N3: Nature Conservation Factors.
- MW11: Contaminated Land

Other relevant policies

4.7 Employment Land Supplementary Planning Document

4.8 Residential Design Supplementary Planning Document.

Places for Everyone

4.9 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

4.10 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.11 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

4.12 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4.13 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a Major Development by neighbour notification letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

6.1 None received.

7. RESPONSES FROM CONSULTTEES

- 7.1 The Head of Environmental Services (Public Protection) has raised no objection and suggested that conditions: restricting the hours of construction work; and the provision of the acoustic bund between the residential development and the remaining commercial site, and vehicle charging facilities, be attached to any permission.
- 7.2 The Local Highway Authority has raised no objections and suggested that conditions: requiring a highways survey, a Construction Management Plan, an electrical vehicle charging strategy, a street lighting scheme, a green travel plan; and, regarding the construction and maintenance of the highway, the provision of car parking facilities, site drainage, and any retaining structures, be attached to any permission.

8. ANALYSIS

- 8.1 The principle of the development in this location is established by the extant planning permission. Access in to the site would be from Cartwright Street and replicates the arrangement approved previously. The issues to be considered in deciding this application are then the detailed matters of the layout, appearance, scale and landscaping of the development.

9. LAYOUT

- 9.1 The general layout is similar to that approved, although the arrangement now proposed allows for the inclusion of 2 additional houses, so that there would be a total of 66 houses in the wider scheme.
- 9.2 As in the wider scheme, all of the houses would be provided with private rear gardens and defined, defensible space at the front. Two car parking spaces would be provided for each of the houses, whether in a courtyard arrangement, on driveways or in detached or integral garages. The road layout retains various integral traffic calming measures such as pinch points, raised tables and varied surface treatments so as to encourage reduced vehicle speeds within the development.
- 9.3 The proposed layout would provide active frontages, with dual aspect houses at the road junctions, and where the spur road bends
- 9.4 As is confirmed by the Local Highways Authority, the road layout proposed is adequate to allow refuse and other service vehicles to attend the development.
- 9.5 The spacing between the houses within the proposed layout of the development, and between the new houses and those existing, is such that there would be adequate distances in-between in accordance with policies designed to prevent undue over-looking and over-shadowing.
- 9.6 The proposed layout of the development is therefore considered acceptable so that there would be no unacceptable impact on highway safety, nor would the impact on the road network be severe, whilst creating a satisfactory standard of amenity for existing and future occupants.

10. APPEARANCE AND SCALE

- 10.1 A mix of 13 different house types are proposed: 19 of the houses would be standard 2-storey; 7 would be taller and utilise the roofspace with dormers to provide living accommodation;

and, 3, the terrace/mews, would rise to 3 storeys. All but one of the house types are present elsewhere in the wider scheme. The scale of the proposed houses is akin to the local vernacular and appropriate within the context they would be set.

- 10.2 Being brick-built with tiled roofs the houses would have a traditional appearance. Architectural features such as window sills -header features would be incorporated throughout the development. A largely consistent palette of external finishes would be used throughout the wider development so as to achieve a cohesive scheme that acknowledges the character of the locality within which it is set whilst remaining identifiably a discrete development.

11. LANDSCAPING

- 11.1 The landscaping proposals largely replicate those approved previously and are consistent with those included in the the wider scheme. Both hard and soft landscaping are proposed site so as to provide sustainable boundaries between public and private areas, whilst at the same time achieving clear delineation between different elements of the site and to soften the appearance of the built form and mask parking within the development.
- 11.2 The tree planting proposals are of suitable species for a residential development and in adequate numbers to compensate for loss of the few existing trees within the site. The proposed planting is appropriate, and would complement the landscaped buffer that would be retained and maintained along the site's eastern boundary between the houses and the industrial uses that are retained within the remaining industrial park.
- 11.3 Alternative surface treatments to the various sections of the spur road would distinguish between the central main route and semi-pedestrian areas.
- 11.4 There would be a variety of boundary treatments between the house plots and where these meet the highway. Rear gardens would be delineated by 1.8m high close-boarded timber fences
- 11.5 The proposed landscaping scheme includes a variety of biodiversity enhancement measures such as bird and bat boxes, hedgehog and insect houses and log piles. The implementation of the landscape proposals would be begun in the first planting season (Nov-Mar) following the occupation the first house and completed in the first planting season (Nov - Mar) following occupation of the final house.

12. OTHER ISSUES

- 12.1 Following the grant of the original permission, in accordance with the Community Infrastructure Levy Regulations 2015, which are intended to provide infrastructure to support development, rather than to make individual planning applications acceptable in planning terms the applicant entered in to a binding agreement, so as to compensate for the impact of the development on the demand for school places, to provide a financial contribution of

- £886 per 2 bed dwelling
- £1,234 per 3 bed dwelling
- £1,343 per 4 bed dwelling

towards increasing the number of places available at Hyde Community College to accommodate increases in secondary school pupils in the area. The same considerations apply in this instance and so a draft fresh agreement has been prepared relating to this permission, if granted, to provide the same contributions

13. CONCLUSION

- 13.1 The application proposals represent a sustainable development in a highly accessible location. The implementation of the permission would provide economic benefits by enabling funding to be released for the consolidation of the remaining Business Park and its continued operation. The construction phase of the development will create jobs in the construction sector over the build time of the development, as well as further indirect job opportunities.
- 13.2 As a component of the wider proposals the development would regenerate an unsightly site and so significantly enhance the appearance of the local area whilst delivering a mix of housing types, adding to the supply, and diversifying the range of choice of housing, at a suitable and available site that is in close proximity to a range of services and public transport services.

RECOMMENDATION

That Members grant planning permission for the development subject to the following:

- (i) The completion of a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) for a £6,400 contribution towards open space to support the development;
- (ii) The discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within six months of the resolution to grant planning permission; and,
- (iii) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents.

- the Location Plan - WH-NBP-LP-01
- the Detailed Site Layout plan - WH-NBP-DSL-02
- the Boundary Treatment Plan - WH-NBP-BTP-01
- the Landscape Proposals - 5627.04 G
- the Waste Management Plan - WH-NBP-WMP-01
- house type BRANCHESTER HT – BCR-P2
- house type BRUNSWICK HT – BRU-P2
- house type DALTON HT Plans – DAL-P1
- house type DALTON HT Elevations – DAL-P2
- house type HATHERLEIGH – HAT-B-P2
- house type HAVERSHAM – HAV-P2
- house type JENNER HT PLANS – JEN-P1
- house type JENNER HT ELEVATIONS – JEN-P2
- house type NELSON HT – NEL-P2
- house type NEWTON – NT-P1
- house type OXFORD – OX-P1
- house type – SHAKESPEARE HT – SHA-P1

- house type TREVITHICK HT – TRE-P2
- house Type C Plans – Type C
- house Type C Elevations – Type C
- house type WINCHESTER HT - WIN-P3
- Enzygo Review of Noise Mitigation SHF. 1353.003.NO.R.001

Reason: In the interests of the visual amenities of the locality and in accordance with polices of the adopted TMBC UDP.

- 3) Prior to any further works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with PolicyT1: Highway Improvement and Traffic Management of the Tameside Unitary Development Plan.

- 4) Prior to commencement of construction work on the site an Approval in Principle must be obtained for the proposed retaining wall shown on the approved plan and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

Reason: To ensure that the development does not contribute to, is put at unacceptable risk from, or is adversely affected by, land instability in accordance with Section 15 of the National Planning Policy Framework

- 5) Prior to commencement of construction work on the site, details of the proposed arrangements for future management and maintenance of the proposed access road/car park within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason: In the interest of highway safety, in accordance with PolicyT1: Highway Improvement and Traffic Management of the Tameside Unitary Development Plan.

- 6) No work shall take place in respect to the construction of the approved highway to the development, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:- 1. Phasing plan of highway works. 2. Stage 1 Safety Audit – 'Completion of preliminary design' and subsequent Stages 2-4 based on the Design Manual for Roads and Bridges document GG 119 – Road Safety Audit. 3. Surface and drainage details of all carriageways and footways. 4. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase. 5. Details of the areas of the highway network/car park within the site to be constructed to adoptable standards and the specification of the construction of these areas. 6. Details of carriageway markings and signage. No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan and the development shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with PolicyT1: Highway Improvement and Traffic Management of the Tameside Unitary Development Plan.

- 7) Prior to commencement of construction work on the site, the following information shall be submitted in writing and written permission at each stage has been granted by the Local Planning Authority. i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation. iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority. iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with policy MW11 of the Tameside Unitary Development Plan and paragraph 184 of the National Planning Policy Framework.

- 8) Prior to commencement of construction work on the site, details of a scheme of intrusive site investigations, including gas monitoring, in order to establish the exact situation regarding coal mining legacy issues on the site shall be submitted to, and approved by, the local planning authority; any approved scheme shall then be undertaken and a report of findings arising from the investigation, including a scheme of any necessary remedial works, shall be submitted to, and approved by, the local planning authority. The development shall then be implemented in accordance with the approved remedial works.

Reason: To mitigate the potential risks to the development posed by coal mine workings in accordance with Section 15 of the National Planning Policy Framework.

- 9) Prior to the first occupation of the development hereby approved an electric vehicle charging design shall be approved in writing by the Local Planning Authority which complies to the requirements listed below and maintained as such thereafter:- The specification of the charging points installed shall: i) be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation); ii) have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC; iii) be fitted with a universal socket (known as an untethered electric vehicle charge point); iv) be fitted with a charging equipment status indicator using lights, LEDs or display; v) a minimum of Mode 3 or equivalent.

Reason: To ensure that the impact of the development in relation to air quality is adequately mitigated and in the interest of promoting sustainable forms of transport, in accordance with UDP Policy T1 and the NPPF

- 10) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; in the finishes to all external hard-surfaces; and, in the construction of the acoustic fence have been submitted to, and approved in writing by, the local planning

authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10 and C1 of the adopted Tameside Unitary Development Plan and Section 12 of the National Planning Policy Framework.

- 11) The development hereby approved shall not be occupied until the noise mitigation measures as recommended in the submitted Enzygo Review of Noise Mitigation SHF. 1353.003.NO.R.001 have been implemented in full.

Reason: In order to protect the amenities of future occupants in accordance with policy 1.12 of the Tameside Unitary Development Plan and Sections 2 and 12 of the National Planning Policy Framework.

- 12) The development hereby approved shall not be occupied until the 4m Acoustic Bund detailed in the submitted Boundary Treatment Plan, Drawing No. WH-NBP-BTP-01 has been implemented in full.

Reason: In order to protect the amenities of future occupants in accordance with policy 1.12 of the Tameside Unitary Development Plan and Sections 2 and 12 of the National Planning Policy Framework.

- 13) No part of the development hereby approved shall not be occupied until a scheme detailing the street lighting to be provided to the access road and shared parking areas shall be submitted to, and approved in writing by, the local planning authority. This scheme will include details of how the lighting will be funded for, how it will be maintained in the future, and a phasing plan which will specify when the approved details will be completed. Development shall be carried out in accordance with the approved details.

Reason: To secure the provision of satisfactory access to the site and in the interests of road safety and security in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework

- 14) The boundary treatments for each house, as indicated on the plan, ref. WH-NBP-BTP-0, shall be provided prior to the first occupation of that house.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10 and C1 of the adopted Tameside Unitary Development Plan and Section 12 of the National Planning Policy Framework.

- 15) The car parking spaces, illustrated on the approved plan ref. WH-NBP-DSL-02, to serve the development hereby approved shall be laid out as shown on the approved site plan prior to the first occupation of that development and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

Reason: To ensure adequate parking provision in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework

- 16) No part of the development hereby approved shall be occupied until details of a maintenance management plan for the street trees, landscaped buffer and biodiversity enhancement measures, as indicated on the approved plan, ref. 5627.04 G, has been submitted to, and approved in writing by, the local planning authority. Following the

occupation of the first house, the management plan shall be implemented in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10 and C1 of the adopted Tameside Unitary Development Plan and Section 12 of the National Planning Policy Framework.

- 17) The planting scheme, including the biodiversity enhancement measures, shall be carried out in accordance with the details illustrated on the approved plan ref. 5627.04 G. The planting scheme, including the attendant biodiversity measures, shall be commenced in the first planting season (Nov-Mar) following the occupation of the first house and completed, including the attendant biodiversity measures, in the first planting season (Nov - Mar) following occupation of the final house. Any newly planted trees and plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species by the developer unless the local planning authority gives written consent to any variation.

Reason: To enhance the ecological value of the site in accordance with policies 1.10 and N3 of the Tameside UDP and Section 15 of the National Planning Policy Framework.

- 18) The development hereby approved shall be carried out in accordance with the details and provisions included in the Construction Method Statement (for Newton Business Park, Cartwright Street, Hyde, Tameside, SK14 4FA), dated January 2021, which were approved, ref. 21/00010/PLCOND, on 11.02.2021.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.

- 19) Surface water shall be drained in accordance with the scheme illustrated on drawing no. 18036/01/1 rev. F, Road and Main Drainage Layout, and as discussed in Level 2 Scoping Study Flood Risk & Drainage Impact Assessment 2015-074-RevA, which were approved, ref. 21/00009/PLCOND, on 08.04.2021.

Reason: To ensure proper drainage of the area, in accordance with Policy U3 of the adopted Tameside Unitary Development Plan and the paragraph 169 of the National Planning Policy Framework.

- 20) A clear view shall be provided at the junction of site access road with Cartwright Street. Its area shall measure 2.5 metres along the centre of the access and 43 metres in each direction along the edge of the roadway in Cartwright Street. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.

- 21) A clear view shall be provided on both sides of the any driveway or vehicular access where it meets the footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.

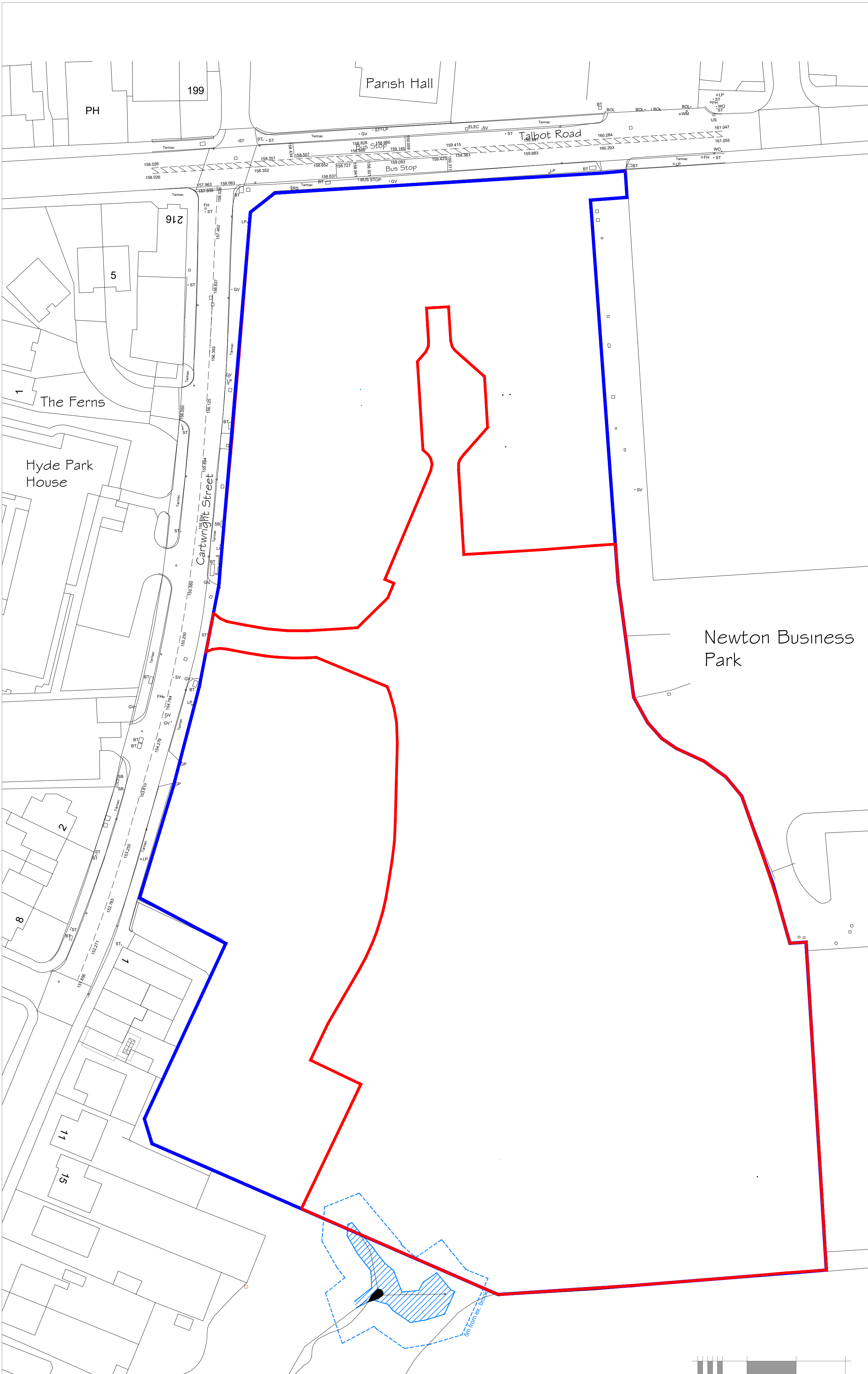
Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.

- 22) The development hereby approved shall be carried out in accordance with the details and provisions included in the Construction Method Statement (for Newton Business Park, Cartwright Street, Hyde, Tameside, SK14 4FA), dated January 2021, which were approved, ref. 21/00010/PLCOND, on 11.02.2021.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.

- 23) During construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenities of the occupants of nearby properties/dwelling houses in accordance with policy 1.12 of the adopted Tameside Unitary Development Plan and Sections 2 and 5 of the National Planning Policy Framework.



- Legend**
- Application site boundary
 - Site Ownership

Revision:	By:	Date:
Rev A: Revised following client comments.	LT	20/04/22

Client: 

Project Title: Residential Development

Address: Newton Business Park, Hyde

Drawing Title: Location Plan

Drawing No: WH-NBP-LP-01

Dwn:	Ckd:	Date:
CB	-	27/11/17

Scale: 1:500 Paper Size: A2 Rev: A



This page is intentionally left blank

House Type	Bed No.	Type	Storey	Parking	No.	Sqft	Total Sqft	Split
Trevithick	3	Semi Detached	2	Space	3	816	2448	10.34%
Brancaster	3	Semi Detached	2	Space	1	900	900	3.45%
Bruncaster	4	Semi Detached	3	Space	1	900	900	3.45%
Dalton	4	Semi Detached	2	Space	2	978	1956	6.90%
Nelson	4	Detached	2	I.Gar	4	1013	4052	14%
Jenner	4	Semi Detached	2.5	Space	2	1099	2198	6.90%
Type C	4	Semi Detached / mews	3	I.Gar	3	1176	3528	10.34%
Newton	4	Detached	2	I.Gar	1	1233	1233	3.45%
Winchester	3	Detached	1.5	S. Gar	1	1308	1308	3.45%
Haversham	4	Detached	2	S. Gar	1	1342	1342	3.45%
Hatherleigh	4	Detached	3	S. Gar	1	1342	1342	3.45%
Shakespeare	4	Detached	2	I.Gar	6	1350	8100	20.69%
Oxford	4	Detached	2	D.Gar	3	1493	4479	10.34%
Total					29		33786	



Newton Business Park

Not included in application boundary

Revision	By	Date

Client: **Wain HOMES**

Project Title: Residential Development

Address: Newton Business Park, Hyde

Drawing Title: Colour Site Layout - Red Edge

Drawing No: WH-NBP-CSL-02

Dwn: CB Ckd: - Date: 27/11/17

Scale: 1:500 Paper Size: A2



This page is intentionally left blank

Disclaimer:
This drawing is not to be reproduced, altered or published in part or in full without the expressed permission of Baldwin Design Consultancy Ltd.

Do not scale from this drawing, any discrepancies are to be reported to Baldwin Design Consultancy Ltd. prior to project commencement.

This document and its associated intellectual assets remain the property of Baldwin Design Consultancy Ltd. and no element of such is to be used beyond the contracted usage.



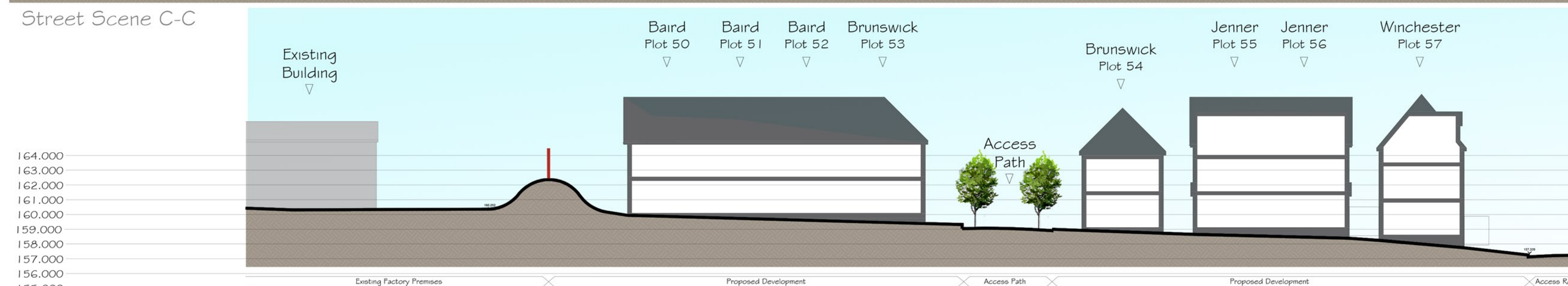
Street Scene A-A



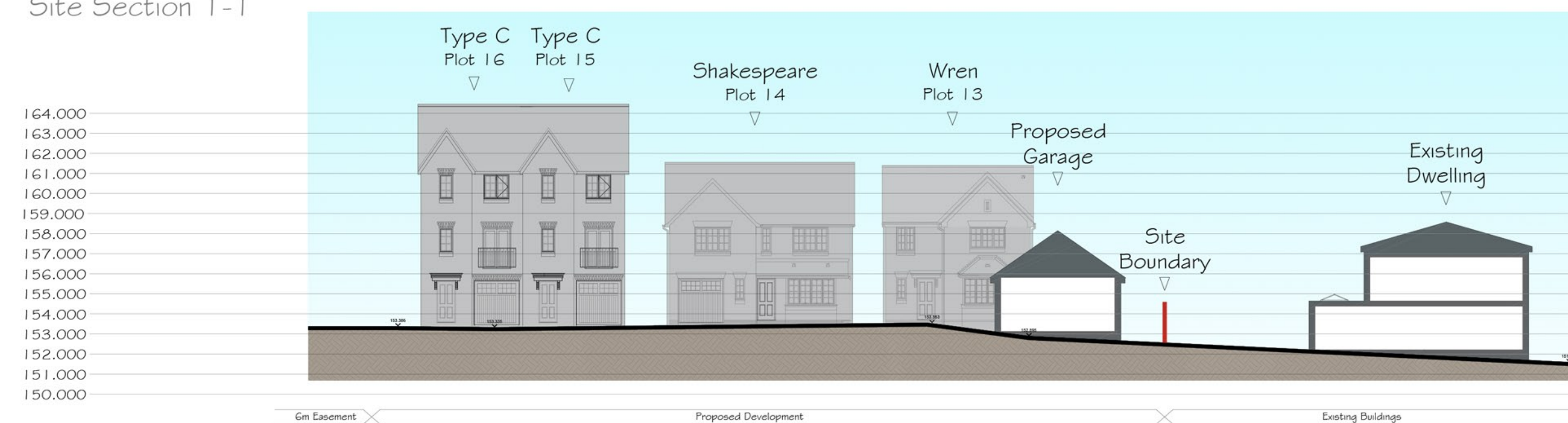
Street Scene B-B



Street Scene C-C



Site Section 1-1



Site Section 2-2

Site Section B-B



Locator Plan scale : n.t.s

Revision:	By:	Date:
Rev B: Updated to match amended layout		04/06/18
Rev C: Updated to match amended layout		24/08/18
Rev D: Updated to suit site layout.	LV	11/04/22

Client: **Wain HOMES**

Project Title: **Residential Development**

Address: **Newton Business Park, Hyde**

Drawing Title: **Street Scenes & Site Sections**

Drawing No: **WH-NBP-SS-01**

Dwn: **WBK** Ckd: **-** Date: **20.12.17**

Scale: **1:200** Paper Size: **A1** Rev: **D**

This page is intentionally left blank



This page is intentionally left blank



This page is intentionally left blank

Application Number:	22/00418/FUL
Proposal:	To vary condition 2 (specifying approved plans), to allow for amendments to house designs, of planning permission ref. 17/01089/REM – scheme of 64 dwellings.
Site:	Newton Business Park, Cartwright Street, Hyde
Applicant:	Wain Homes North West Ltd
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required in accordance with the Council's constitution because this is a major application as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. APPLICATION DESCRIPTION

- 1.1 Where there is an extant planning permission, section 73 (S73) of the Town and Country Planning Act 1990 allows for application to be made to vary or remove conditions associated with that planning permission. One of the uses of a S73 application is to seek what is often called a minor material amendment to an extant planning permission.
- 1.2 Initially, outline planning permission (ref. 16/00054/OUT) was granted in December 2016 for the demolition of all existing on site structures and the redevelopment of part of the then Newton Business Park for residential dwellings (Use Class C3) at Cartwright Street, from where all access was to be taken, in Hyde. Subsequently, application (ref. 17/01089/REM) for approval of the matters held in reserve, namely appearance, landscaping, layout and scale, was approved, with conditions, in November 2018.
- 1.3 The current application seeks to vary condition 2 of the latter permission, so that it specifies alternative drawings in accordance with which the development shall be carried out, and so allow for a minor material amendment to the planning permission.

2. SITE AND SURROUNDINGS

- 2.1 Having originally comprised a large former ICI factory site dating from the 1920s, Newton Business Park occupies approximately 7 hectares of land close to the edge of the north-eastern corner of the built-up area of Hyde, some 2km to the north-east of the town centre, and includes a number of commercial buildings of various sizes. The application site comprises 2.2ha of land on the western side of the Business Park that fronts on to Cartwright Street.
- 2.2 The Business Park is bounded to the north, and, after the road turns to the south, to the east by Talbot Road and to the west by Cartwright Street, and wraps around behind houses in both roads. To the south the site abuts an area of open land before houses on the southern side of Victoria Street.

- 2.3 Levels change throughout the site and the land is graded to form a number plateaus and there is a general slope, with a fall of approximately 10m, from Talbot Road to the southern boundary.
- 2.4 All pre-existing structures and buildings have been cleared from the application site. The remainder of the Newton Business Park site measuring 4.2ha that sits outside of the application site is to be retained for commercial use.

3. PROPOSAL

- 3.1 As approved, the design of some of the houses includes sections of the external walls being finished with render. The proposed amendments are:
- to omit the rendered sections, so that the houses are all entirely finished with facing brickwork, including brick, rather than stone, window sills; and
 - the applicant/developer has revised some of the house type names, to allow for more clarity, e.g. 'Haversham' standard unit and a 'Haversham SA' (side aspect) units were approved previously, however, to avoid any confusion the applicant/developer has changed the name of the 'SA' type to 'Hatherleigh'.
- 3.2 A concurrent application (ref. 22/00530/FUL), also on this agenda, seeks full planning permission for a modification to part of the layout of the site.

4. PLANNING HISTORY

- 4.1 16/00054/OUT - Demolition of all existing on site structures and the redevelopment of the site for residential dwellings (Use Class C3), landscaping, boundary treatments and vehicular access from Cartwright Street – outline – Approved 16.12.2016.
- 4.2 17/01089/REM - Approval of reserved matters (appearance, landscaping, layout and scale) for a proposed scheme of 64 dwellings following the grant of outline planning permission. – Approved 16.11.2018.
- 4.3 18/00019/PLCOND - Approval of details reserved by condition 10 of planning permission ref. 16/00054/OUT. Approved/discharged 06.04.2021.
- 4.4 21/00010/PLCOND - Approval of details reserved by condition 14 (temp vehicle facilities) of planning permission ref. 16/00054/OUT. - Submitted scheme approved 11.02.2021. Discharge subject to implementation.
- 4.5 21/00009/PLCOND - Approval of details reserved by condition 11 (drainage) of planning permission ref. 16/00054/OUT. - Submitted scheme approved 08.04.2021. Discharge subject to implementation
- 4.6 21/00008/PLCOND - Approval of details reserved by conditions 8 and 9 (ground contamination and remediation) of planning permission ref. 16/00054/OUT – Pending decision.
- 4.7 21/00006/PLCOND - Approval of details reserved by condition 1 (external materials) of planning permission ref. 17/01089/REM – Pending a decision.
- 4.8 21/00588/CLUD - Certificate of lawful development to confirm that: Outline planning permission LPA reference: 16/00054/OUT and the subsequent reserved matters approval LPA Reference: 17/01089/REM have been lawfully commenced such that the development may lawfully be carried on and completed at any time in the future. – Approved 08.06.2021.

- 4.9 22/00040/PLCOND - Full discharge of condition 8 and condition 9 (ground conditions & remediation) of planning permission 16/00054/OUT. – Pending a decision.

5. PLANNING POLICY

National Planning Policy Framework (NPPF)

- 5.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 5.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 5.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 5.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

- 5.5 Part 1 Policies
- 1.3 Creating a Cleaner Greener Environment
 - 1.5: Following the Principles of Sustainable Development.
 - 1.10: Protecting and Enhancing the Natural Environment.
 - 1.12: Ensuring an Accessible, Safe and Healthy Environment.
- 5.6 Part 2 Policies
- H2: Unallocated Sites.
 - H4: Type, Size and Affordability of Dwellings.
 - H10: Detailed Design of Housing Developments.
 - T1: Highway Improvement and Traffic Management.
 - T10: Parking.
 - C1: Townscape and Urban Form
 - N3: Nature Conservation Factors.
 - MW11: Contaminated Land

Other relevant policies

- 5.7 Employment Land Supplementary Planning Document
- Residential Design Supplementary Planning Document.

- 5.8 It is not considered there are any local finance considerations that are material to the application.

Places for Everyone

- 5.9 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 5.10 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 5.11 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 5.12 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in relation to respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 5.13 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

6. PUBLICITY CARRIED OUT

- 6.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a major development by neighbour notification letters, display of site notice; and advertisement in the local press.

7. SUMMARY OF THIRD PARTY RESPONSES

- 7.1 None received.

8. RESPONSES FROM CONSULTEES

- 8.1 None received.

9. ANALYSIS

- 9.1 The principle of the development in this location is established by the extant planning permission. Other than in the treatment to the external finishes to the houses the development would remain as approved. The issue to consider in determining the application is the impact that the proposed alternative treatment to the external finishes would have on the appearance of the development and visual amenity.
- 9.2 Within the layout as approved, houses facing down the roads, which would terminate the longer views within the development, would be distinguished by the external walls being finished with render. The use of render, and reconstituted stone sills, does however bring with it maintenance issues. Both can suffer from cracks and chips, and render from stains. Given current market conditions, not only are such materials difficult to source initially but there are delays in obtaining replacements.
- 9.3 The use of brickwork solely for the external finishes of the houses would produce a cohesive development that acknowledges the character of the locality within which it is set, whilst remaining identifiably a discrete development.
- 9.4 Without diminishing, but, subjectively, improving the quality of the development as it was approved originally in terms of appearance and visual amenity, it is considered that the proposed amendments achieve the quality of design that is required by policies 1.3 and H10(a) of the UDP and Sections 2 and 12 of the NPPF.

10. OTHER MATTERS

- 10.1 Following the grant of the original permission, in accordance with the Community Infrastructure Levy Regulations 2015, which are intended to provide infrastructure to support development, rather than to make individual planning applications acceptable in planning terms, the applicant entered in to a binding agreement, so as to compensate for the impact of the development on the demand for school places, to provide a financial contribution of

- £886 per 2 bed dwelling
- £1,234 per 3 bed dwelling
- £1,343 per 4 bed dwelling

towards increasing the number of places available at Hyde Community College to accommodate increases in secondary school pupils in the area.

11. CONCLUSION

- 11.1 The proposed amendments being considered acceptable and, in context, as being of a minor nature, according to Planning Practice Guidance the grant of planning permission under section 73 should repeat the relevant conditions from the original planning permission, unless they have already been discharged. Where an application under section 73 is granted, the effect is the issue of a new planning permission and that may be subject to conditions differing from those to which the original permission was subject.

RECOMMENDATION

Grant planning permission for the development subject to the following:

- (i) The completion of a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) for a £6,400 contribution towards open space to support the development;

- (ii) The discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within six months of the resolution to grant planning permission; and
- (iii) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:

1) The development hereby permitted shall be carried out in accordance with the following approved plans:

- ref. 13812 -110 rev. B, in so far as it relates to access to the site only; and,
- ref. NBP-002 by AECOM and forming Appendix E to the submitted Transport Statement.

both approved under cover of planning permission ref. 16/00054/OUT.

- Location Plan WH/NBP/LP/01;
- Site Layout WH/NBP/DSL/01 F;
- Colour Site Layout WH/NBP/CSL/01 C;
- Landscape Proposals 1 of 2 5627.03 E;
- Landscape Proposals 2 of 2 5627.04 E;
- Landscape Proposals Whole Site 5627.05 D;
- Tree Protection Plan 5627.02 A
- Arboricultural Impact Assessment & Method Statement MG/5627/AIA&AMS/REVB/AUG18
- Boundary Treatment Plan WH/NBP/BTP/01 B;
- Waste Management Strategy WH/NBP/WMP/01 B

each approved under cover of planning permission ref. 17/01089/REM.

- Street Scenes & Site Sections WH/NBP/SS/01 D;
- House Type C - TYPE C ELEVATIONS & TYPE C PLANS;
- House Type Oxford – OX-P1;
- House Type Stephenson 4.203/P/BU/L10/300 B
- House Type Baird - BRD-P1;
- House Type Brancaster – BCR-P2;
- House Type Brunswick – BRU-P2;
- House Type Dalton - DAL-P1 & DAL-P2;
- House Type Haversham - HAV-P2;
- House Type Hatherleigh – HAT–B–P2;
- House Type Jenner – JEN-P1 & JEN-P2;
- House Type Newton- NT-P1;
- House Type Shakespeare – SHA-P1;
- House Type Trevithick – TRE-P2;
- House Type Wordsworth Brick – WOR-P3;
- House Type Wordsworth SA Brick – WIN-P3;
- House Type Wren – WRE-P1
- Enzygo Review of Noise Mitigation SHF. 1353.003.NO.R.001.

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted TMBC UDP.

2) Other than demolition, no development shall commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority. i) A preliminary risk assessment to determine the potential

for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation. iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority. iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with policy MW11 of the Tameside Unitary Development Plan and paragraph 184 of the National Planning Policy Framework.

- 3) Other than demolition, no development shall commence until: details of a scheme of intrusive site investigations, including gas monitoring, in order to establish the exact situation regarding coal mining legacy issues on the site shall be submitted to, and approved by, the local planning authority; any approved scheme shall then be undertaken and a report of findings arising from the investigation, including a scheme of any necessary remedial works, shall be submitted to, and approved by, the local planning authority. The development shall then be implemented in accordance with the approved remedial works.

Reason: To mitigate the potential risks to the development posed by coal mine workings in accordance with Section 15 of the National Planning Policy Framework.

- 4) Prior to the first occupation of the development hereby approved an electric vehicle charging design shall be approved in writing by the Local Planning Authority which complies to the requirements listed below and maintained as such thereafter:- The specification of the charging points installed shall: i) be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation); ii) have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC; iii) be fitted with a universal socket (known as an untethered electric vehicle charge point); iv) be fitted with a charging equipment status indicator using lights, LEDs or display; v) a minimum of Mode 3 or equivalent.

Reason: To ensure that the impact of the development in relation to air quality is adequately mitigated and in the interest of promoting sustainable forms of transport, in accordance with UDP Policy T1 and the NPPF

- 5) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; in the finishes to all external hard-surfaces; and, in the construction of the acoustic fence have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10 and C1 of the adopted Tameside Unitary Development Plan and Section 12 of the National Planning Policy Framework.

- 6) The development hereby approved shall not be occupied until the noise mitigation measures as recommended in the submitted Enzygo Review of Noise Mitigation SHF. 1353.003.NO.R.001 have been implemented in full.

Reason: In order to protect the amenities of future occupants in accordance with policy 1.12 of the Tameside Unitary Development Plan and Sections 2 and 12 of the National Planning Policy Framework.

- 7) The development hereby approved shall not be occupied until the 4m Acoustic Bund detailed in the submitted Boundary Treatment Plan, Drawing No. WH-NBP-BTP-01 has been implemented in full.

Reason: In order to protect the amenities of future occupants in accordance with policy 1.12 of the Tameside Unitary Development Plan and Sections 2 and 12 of the National Planning Policy Framework.

- 8) No part of the development hereby approved shall not be occupied until a scheme detailing the street lighting to be provided to the access road and shared parking areas shall be submitted to, and approved in writing by, the local planning authority. This scheme will include details of how the lighting will be funded for, how it will be maintained in the future, and a phasing plan which will specify when the approved details will be completed. Development shall be carried out in accordance with the approved details.

Reason: To secure the provision of satisfactory access to the site and in the interests of road safety and security in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework

- 9) The boundary treatments for each house, as indicated on the plan, ref. WH/NBP/BTP/01 B, which was approved under cover of planning permission ref. 17/01089/REM, shall be provided prior to the first occupation of that house.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10 and C1 of the adopted Tameside Unitary Development Plan and Section 12 of the National Planning Policy Framework.

- 10) The car parking facilities for each house, as indicated on the approved plan, ref. WH/NBP/DSL/01 F, which was approved under cover of planning permission ref. 17/01089/REM, shall be provided prior to the first occupation of that house, and thereafter kept unobstructed and available for the intended purpose.

Reason: To ensure adequate parking provision in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework

- 11) No part of the development hereby approved shall be occupied until details of a maintenance management plan for the street trees, landscaped buffer and biodiversity enhancement measures, as indicated on the plans, ref. 5627.03 E, 5627.04 E, 5627.05 D and WH/NBP/BTP/01 B, which were approved under cover of planning permission ref. 17/01089/REM, has been submitted to, and approved in writing by, the local planning authority. Following the occupation of the first house, the management plan shall be implemented in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10 and C1 of the adopted Tameside Unitary Development Plan and Section 12 of the National Planning Policy Framework.

- 12) The development hereby approved shall be carried out in accordance with the details and provisions included in the Construction Method Statement (for Newton Business Park, Cartwright Street, Hyde, Tameside, SK14 4FA), dated January 2021, which were approved, ref. 21/00010/PLCOND, on 11.02.2021.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.

- 13) During demolition and construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenities of the occupants of nearby properties/dwelling houses in accordance with policy 1.12 of the adopted Tameside Unitary Development Plan and Sections 2 and 5 of the National Planning Policy Framework.

- 14) The planting scheme, including the biodiversity enhancement measures, shall be carried out in accordance with the details indicated on the plans refs. 5627.03 E, 5627.04 E and 5627.05 D, approved under cover of planning permission ref. 17/01089/REM. The planting scheme, including the attendant biodiversity measures, shall be commenced in the first planting season (Nov-Mar) following the occupation of the first house and completed, including the attendant biodiversity measures, in the first planting season (Nov - Mar) following occupation of the final house. Any newly planted trees and plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species by the developer unless the local planning authority gives written consent to any variation.

Reason: To enhance the ecological value of the site in accordance with policies 1.10 and N3 of the Tameside UDP and Section 15 of the National Planning Policy Framework.

- 15) Surface water shall be drained in accordance with the scheme illustrated on drawing no. 18036/01/1 rev. F, Road and Main Drainage Layout, and as discussed in Level 2 Scoping Study Flood Risk & Drainage Impact Assessment 2015-074-RevA, which were approved, ref. 21/00009/PLCOND, on 08.04.2021.

Reason: To ensure proper drainage of the area, in accordance with Policy U3 of the adopted Tameside Unitary Development Plan and the paragraph 169 of the National Planning Policy Framework.

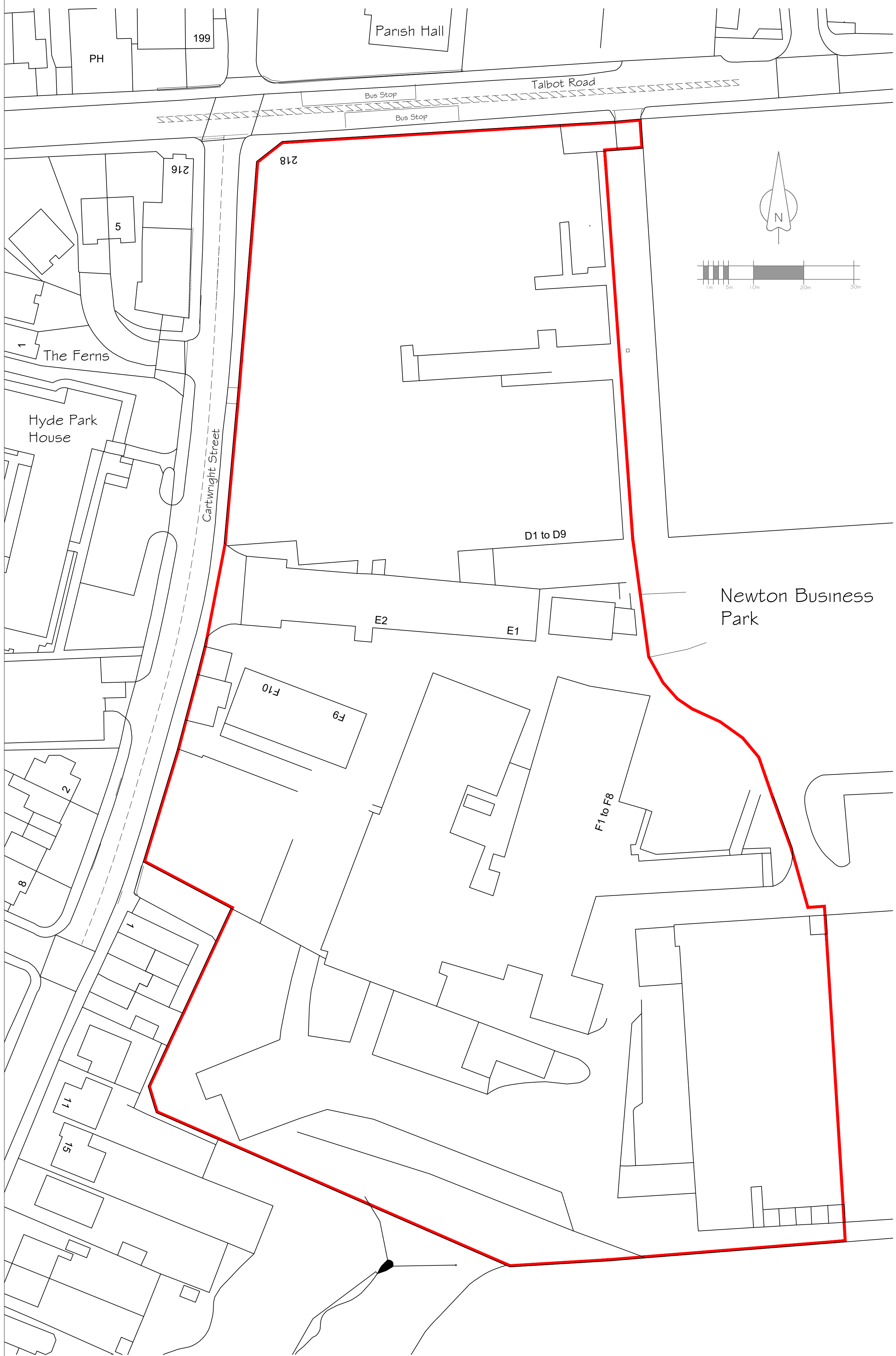
- 16) A clear view shall be provided at the junction of site access road with Cartwright Street. Its area shall measure 2.5 metres along the centre of the access and 43 metres in each direction along the edge of the roadway in Cartwright Street. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.

- 17) A clear view shall be provided on both sides of the any driveway or vehicular access where it meets the footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.

Reason: In the interests of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.

Legend
Application site boundary



WAINHOMES
BUILDING BRITAIN'S HERITAGE

Baldwin Design
Consultancy Ltd

Project Title:
Residential Development

Address:
Newton Business Park
Hyde

Drawing:
Location Plan

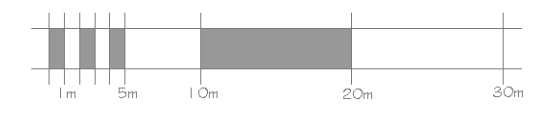
Drawing No:
WHNB/PLP/01

Drawn:	Chkd:	Date:
CB	-	27/11/17

Scale:
1:500

Paper Size:
A2

This page is intentionally left blank



WAINHOMES
BUILDING BRITAIN'S HERITAGE

Baldwin Design
Consultancy Ltd

Revision:
 Rev B: Updated to match amended layout 04/06/19
 Rev C: Updated to suite amended layout 17/06/19

Project Title:
 Residential Development

Address:
 Newton Business Park
 Hide

Drawing:
 Colour Site Layout

Drawing No:
 WHNBPCSL01

Drawn:
 CK

Chd:
 -

Date:
 Date 27/11/17

Scale:
 1:500

Paper Size:
 A2

This page is intentionally left blank

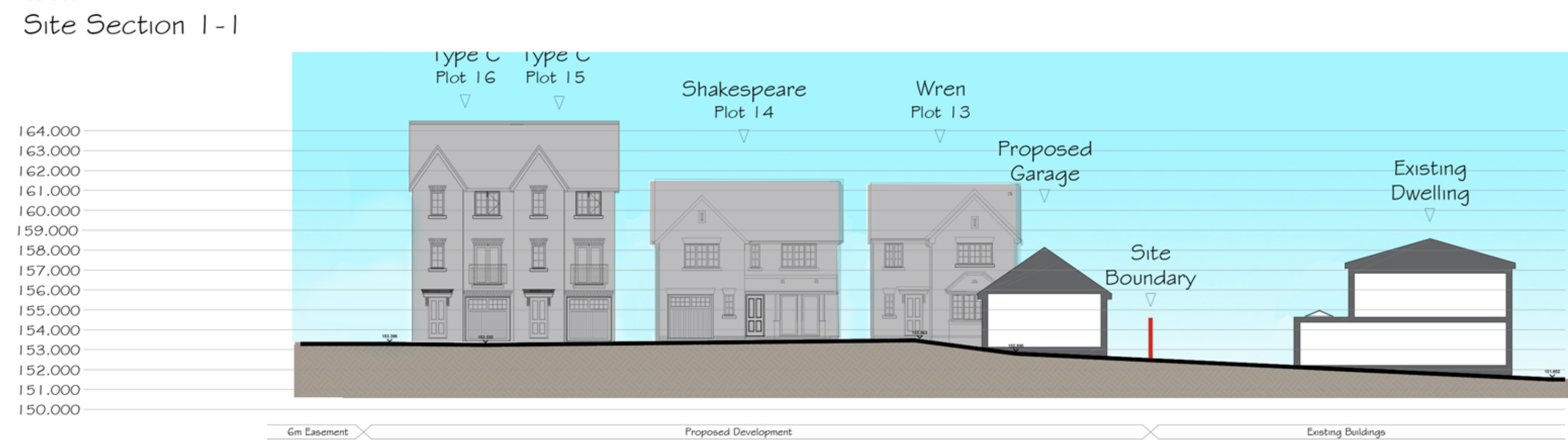
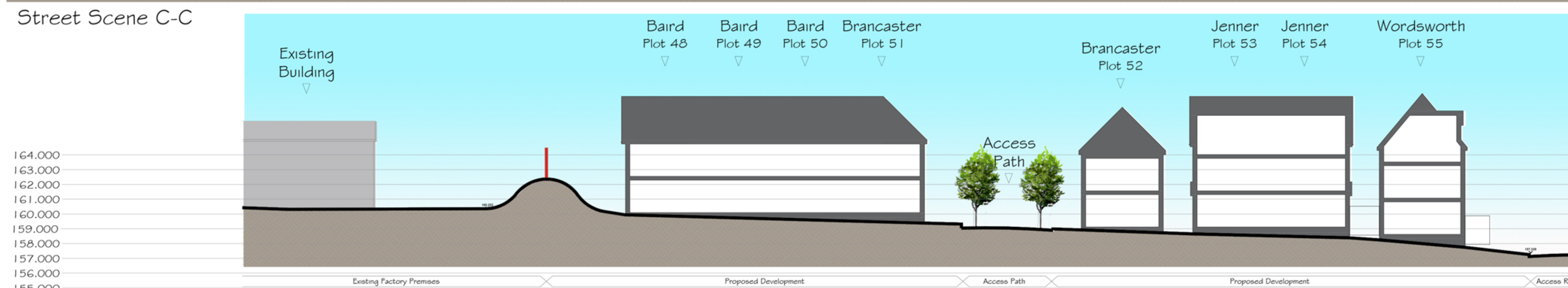
Disclaimer:
This drawing is not to be reproduced, altered or published in part or in full without the expressed permission of Baldwin Design Consultancy Ltd.

Do not scale from this drawing, any discrepancies are to be reported to Baldwin Design Consultancy Ltd. prior to project commencement.

This document and its associated intellectual assets remain the property of Baldwin Design Consultancy Ltd. and no element of such is to be used beyond the contracted usage.



Page 191



Baldwin Design
Consultancy Ltd

Revision:
Rev B: Updated to match amended layout 24/09/18
Rev C: Updated to match amended layout 24/09/18

PLANNING DRAWING

Project Title:
Residential Development
Address:
**Newton Business Park
Hyde**

Drawing:
**Street Scenes &
Site Sections**
Drawing No:
WH/NBP/SS/01

Drawn:
WBK
Scale:
1:200
Ch'd:
-
Date:
20.12.17
Paper Size:
A1

Scale: 109-110, Lovell House, Birchwood Park, Warrington, Cheshire, WA3 9PW. Tel: 01925 747616. e-mail: g.baldwin@baldwindesign.net

This page is intentionally left blank



Street Scene A-A

Disclaimer:
This drawing is not to be reproduced, altered or published in part or in full without the expressed permission of Baldwin Design Consultancy Ltd.

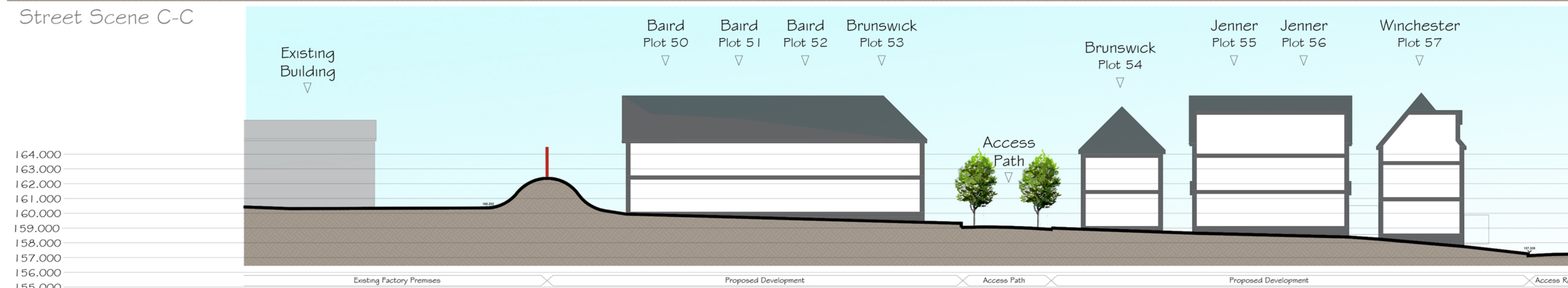
Do not scale from this drawing, any discrepancies are to be reported to Baldwin Design Consultancy Ltd. prior to project commencement.

This document and its associated intellectual assets remain the property of Baldwin Design Consultancy Ltd. and no element of such is to be used beyond the contracted usage.

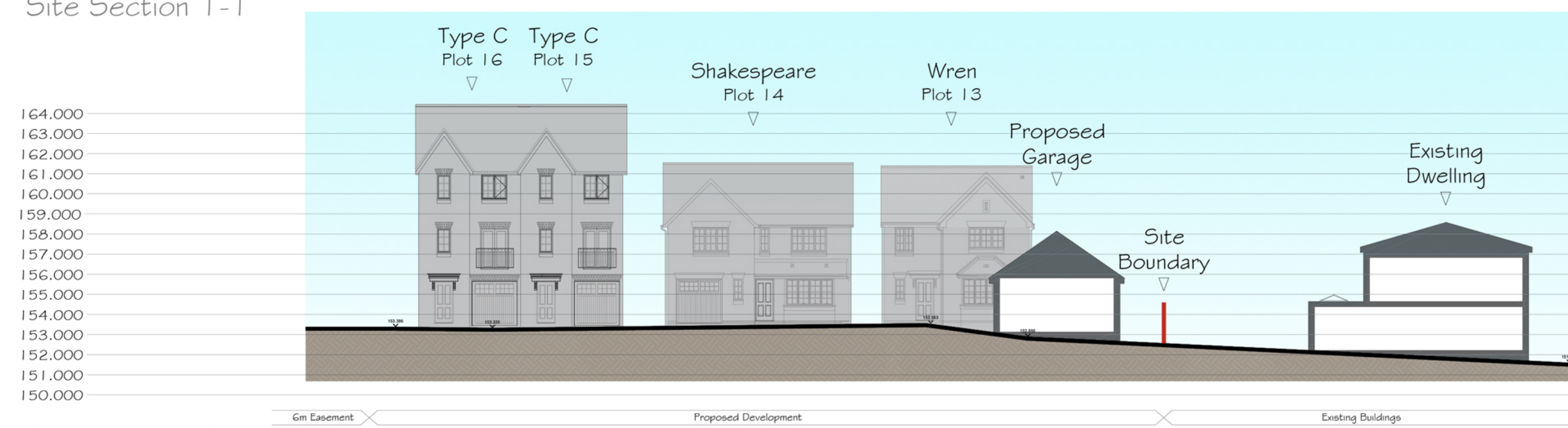


Street Scene C-C

Page 193

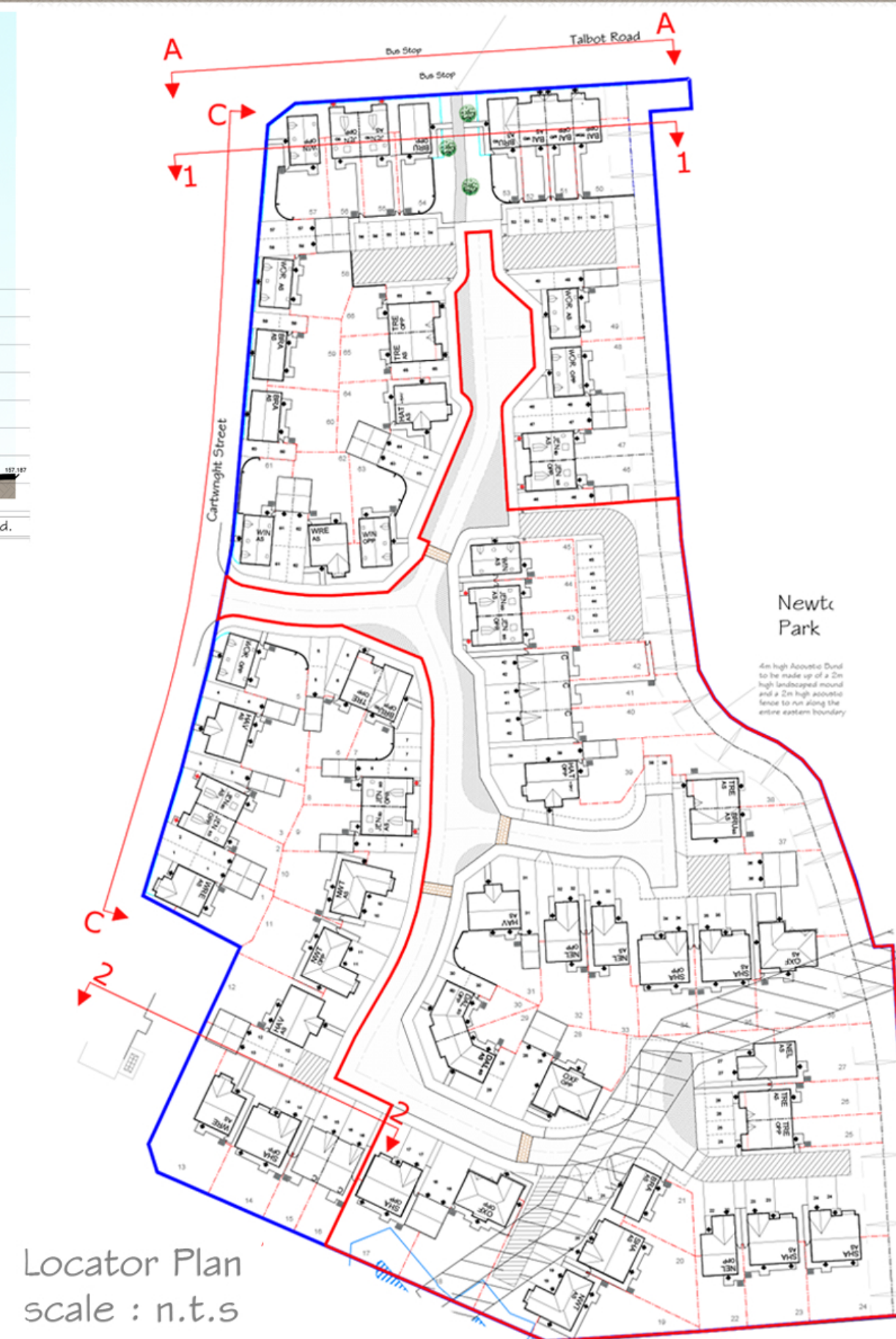


Site Section 1-1



Site Section 2-2

Site Section B-B



Locator Plan
scale : n.t.s

Revision:	By:	Date:

Client: **Wain HOMES**

Project Title: **Residential Development**

Address: **Newton Business Park, Hyde**

Drawing Title: **Street Scenes & Site Sections**

Drawing No: **WH-NBP-SS-02**

Dwn: **WBK** Ckd: **-** Date: **20.12.17**

Scale: **1:200** Paper Size: **A1** Rev:

Newton Business Park, Hyde

This page is intentionally left blank



This page is intentionally left blank



This page is intentionally left blank

Application Number:	22/00380/FUL
Proposal:	First floor side and ground floor rear extension.
Site:	22 Churchbank, Stalybridge, SK15 2QJ
Applicant:	Mr & Mrs Keyzer
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	The applicant is an employee of Tameside Council.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to 22 Churchbank, a two storey detached dwelling within Stalybridge. Churchbank is a suburban residential cul-de-sac comprising of both detached and semi-detached properties of a similar appearance. The application property is brick built with a gable roof above and features a canopy roof to the front elevation. To the first floor level there is a bay window with cross gable feature above. The application property benefits from an existing single storey attached garage to the side elevation. There is a garden and the provision for the parking of one vehicle to the front of the application property.
- 1.2 The application property shares a boundary with no.23 Churchbank to the south-west and no.21 Churchbank to the north-east. The rear boundary is shared with the rear gardens of properties on Breckland Close.

2. PROPOSAL

- 2.1 The application seeks planning permission for a first floor side extension above the existing garage and a single storey extension to the rear of the property.
- 2.2 The proposed first floor side extension projects approximately 3.3m from the existing side gable, in line with the existing garage below and flush with the front elevation at the first floor level. The proposed first floor side extension is approximately 8.4m in length. There are windows proposed to the front and rear elevations. The extension proposes a gable roof to match that on the existing property.
- 2.3 The single-storey rear extension projects approximately 2.2m from the existing rear wall and has a width of approximately 8m. The maximum height of the proposed single storey rear extension is approximately 3.7m and the height of the eaves is approximately 2.7m.
- 2.4 In order to address concerns regarding scale and mass new drawings were submitted by the agent on 11 May 2022, removing a forward facing bay window to the proposed first floor side extension.

3. PLANNING HISTORY

- 3.1 There is no relevant planning history relating to the application site.

4. PLANNING POLICY

National Planning Policy Framework

4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.4 **Development Plan**

The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 **Tameside Unitary Development Plan (UDP) Allocation**

4.6 Unallocated, within the Stalybridge South Ward

4.7 **Part 1 Policies:**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development

4.8 **Part 2 Policies:**

- H10: Detailed Design of Housing Developments
- C1: Townscape and Urban Form

Supplementary Planning Document

Residential Design Guide Supplementary Planning Document:

- RED1: Acknowledge Character
- RED2: Minimum Privacy and Sunlight Distances
- RED3: Size of Rear Extensions
- RED4: Design of Rear Extensions
- RED5: Design of Side Extensions
- RED12: Car Parking and Access

Other relevant policies

4.9 **National Design Guide (2021)**

Illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Places for Everyone

- 4.10 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.11 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.12 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.13 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in relation to respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.14 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

- 5.1 In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the Tameside Statement of Community Involvement, the adjoining owner or occupiers were notified of the proposed development.
- Neighbour notification letters were sent to 6 addresses

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 None.

7. RESPONSES FROM CONSULTEES

- 7.1 None.

8. ANALYSIS

8.1 The main issues to consider in the determination of this application are:

- The principle of the development;
- Design and local character;
- Residential amenity;
- Other matters (Highway Safety)

9. PRINCIPLE

9.1 The site is unallocated, is a residential property and a proposed extension to the property would maintain the residential intensity of the site and subject to design/ amenity considerations, as outlined below. The proposal is therefore acceptable in principle subject to both design and amenity.

10. DESIGN AND APPEARANCE

10.1 Policies C1 and H10 of the Tameside Unitary Development Plan (UDP) state proposals should respect the nature of surrounding fabric and relationship between buildings and that housing developments should be of high quality, complementing and enhancing the character and appearance of the surrounding area.

10.2 Policy RED1 of the Residential Design SPD requires that proposals should apply an architectural style that reflects the existing dwelling and surrounding area and should not alter the scale and mass of the existing dwelling. Policy RED4 of the Residential Design Guide states that extensions to the rear of a house must not dominate the host dwelling, align in terms of scale and mass and that roof styles should align with the host dwelling. With regard to side extensions, Policy RED5 states that side extensions should be setback by a minimum of 1m at upper floors or 0.5m over both ground and upper floors. This will help to reduce a terracing effect and ensure existing scale and mass is retained; in some cases a greater setback may be required to maintain an acceptable mass. RED5 goes on to state that extensions should be setback 1m from the side boundary to help prevent a terracing effect and ensure front to rear access is retained, and that extensions must align with their surroundings in terms of mass and scale.

10.3 Given the non-excessive scale and size of the single-storey rear extension, officers are of the view that the development will be a subordinate addition to the existing property and would not unacceptably alter the scale and massing of the main dwelling, compliant with Policies RED1 and RED4 of the SPD in this regard. The extension will be constructed with matching materials with matching roof and fenestration detailing and so will represent a complimentary addition to the main dwelling.

10.4 The proposed first floor side extension will be constructed above the existing single-storey garage and will be a relatively significant addition to the host dwelling, with a continuous roof form and first floor front elevation flush with the host dwelling's first floor front elevation.

10.5 Although the proposed extension will not be set-back from the existing front elevation with regard to SPD Policy RED5, the significance of the addition is mitigated by the continuation of the canopy/ground floor outrigger, which gives the appearance of the entire first floor being setback. Furthermore, a retained first floor bay window feature with gable roof above represents the main architectural feature of the house and further lessens the significance of the proposed first floor side extension.

10.6 Officers are of the view that the proposed first floor side extension will be a subordinate addition to the application property overall and would not unacceptably alter the scale and

massing of the host dwelling. The proposed first floor side extension will be constructed from matching materials with a gable roof above and matching fenestration detailing and so will represent a complimentary addition to the main dwelling.

- 10.7 Overall, the proposed single storey rear extension is deemed acceptable, having regard to the standards and guidelines set out under SPD Policies RED1, RED4 and RED5, Policies C1 and H10 of the adopted Tameside UDP and the NPPF.

11. RESIDENTIAL AMENITY

- 11.1 Paragraph 130 (f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants.
- 11.2 Locally, the adopted Tameside UDP Policy H10 requires that any development, including extensions, should not have unacceptable impacts on the amenity of neighbouring properties through loss of privacy nor overshadowing.
- 11.3 In addition, Tameside Residential Design Supplementary Planning Document (March 2010) (the SPD) contains specific standards and guidelines for different development types to ensure that no undue amenity impacts are caused to the occupiers of neighbouring properties. Policy RED2 establishes guidelines for privacy and sunlight distances; in order to ensure that developments do not cause unacceptable overshadowing, loss of natural light, or reduce privacy to neighbouring properties, minimum distance allowances have been implemented between new extensions and existing properties. Policy RED3 of the SPD states that if rear extensions are badly designed, it can result in overshadowing, loss of privacy and/or a reduced outlook for neighbouring properties and their inhabitants. In order to avoid such issues, the Council will limit the size of extensions using a 60-degree angle line rule. If a neighbour has an existing extension and this is the nearest habitable room window, the rule should be applied from the extension. The proposed development complies with the 60-degree angle requirement in respect of RED3 and the separation distance requirement in respect of RED2.
- 11.4 The single-storey rear extension projects approximately 2.2m from the rear elevation of the application property. Given that both neighbouring nos 21 and 23 Churchbank have a single storey rear extensions, this projection is acceptable and complies with the requisite 60-degree rule, as found under SPD Policy RED3.
- 11.5 The window to the gable elevation of no.23 Churchbank is noted, however, this window is understood to serve a non-habitable room (bathroom). No undue harm to the amenity of neighbouring occupants by virtue of loss of light, outlook or privacy is anticipated.
- 11.6 The proposed first floor side extension will have a window facing towards the side elevations of the adjacent neighbouring property, no.23 Churchbank. This window shall be conditioned to be obscure glazed and non-opening to ensure that the neighbouring residents are not overlooked. As such, it would not be expected that an unacceptable situation in terms of overlooking/loss of privacy would be created in this instance.
- 11.7 In light of the above, the proposed rear extension is deemed to meet the standards and guidelines set out under the SPD Policies RED2 and Policy H10 of the adopted Tameside UDP and the NPPF.

12. OTHER MATTERS (HIGHWAY SAFETY)

- 12.1 Whilst it is acknowledged that the decreased dimensions of the proposed integral garage would not be compliant with SPD Policy RED12, there is sufficient space for the parking of

one vehicle to the driveway at the front of the property, which would be unaffected by the proposed scheme. Furthermore, there is sufficient space for parking on the surrounding streets; therefore, it is not considered that the impact on the public highway would be severe as a result of proposed development, in accordance with paragraph 111 of the NPPF.

13. CONCLUSION

- 13.1 To conclude, the proposed first floor side extension and single-storey rear extension would not have a negative impact on the character and appearance of the existing dwelling and surrounding area. In addition, the proposed extensions would not significantly harm the outlook or result in overshadowing, loss of privacy or a loss of light to the surrounding neighbours. For the aforementioned reasons it considered that the application is in accordance with the revised NPPF, UDP policies 1.3, C1 and H10 together with the Councils adopted Residential Design SPD Policies RED1, RED2, RED3, RED4 and RED5 and is therefore recommended for approval.
- 13.2 The proposed first floor side extension and single-storey rear extension are considered to be sustainable development under the terms of the NPPF, whilst also complying with relevant policies of the Tameside Unitary Development Plan, as well as meeting the standards and guidelines set out in the Tameside Residential Design Supplementary Planning Document.

RECOMMENDATION

GRANT planning permission subject to the following conditions:

1. The development hereby permitted must begin before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in full accordance with the following amended plans/details:

021/SCB/P1 Rev A Existing and Proposed Plans and Elevations (Received by the Council 11 May 2022)

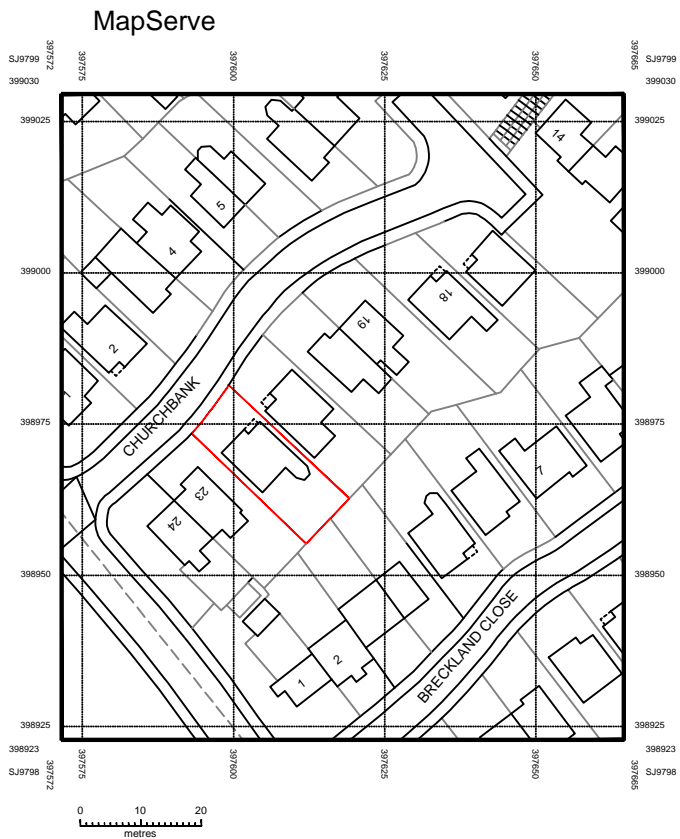
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance (Policies RED1, RED2, RED3, RED4 and RED5 of the Tameside Residential Design SPD; Policies C1 and H10 of the Tameside UDP).

3. The external materials shall match those used in the existing building.

Reason: In the interests of the visual amenities of the locality, in accordance with UDP Policy C1: Townscape and Urban Form.

4. The window to the south-west facing side elevation at first floor, serving a bedroom shall be non-opening and at all times be fitted with obscure glass and retained as such thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of obscurity, or such equivalent as may be agreed in writing by the local planning authority.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with UDP policy H10: Detailed Design of Housing Developments



**MR & MRS KEYZER,
22 CHURCHBANK,
STALYBRIDGE,
SK15 2QJ**

LOCATION PLAN 1:1250

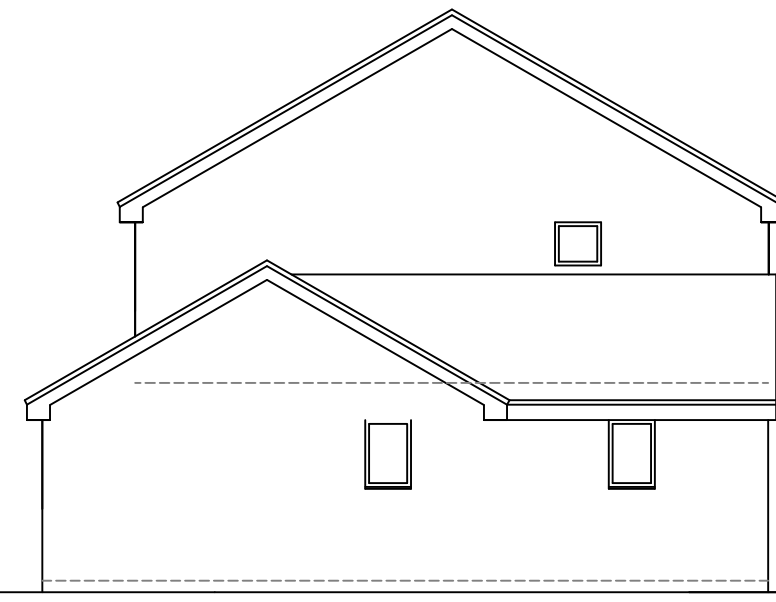
© Crown copyright 2021 Ordnance Survey 100053143



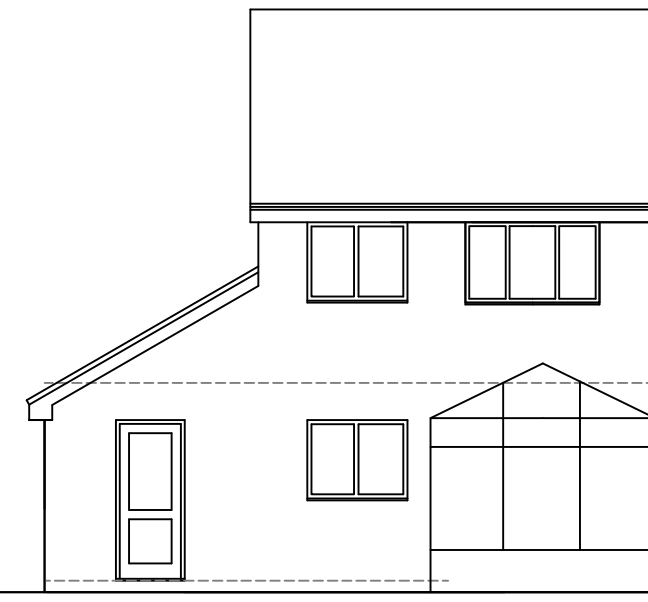
This page is intentionally left blank



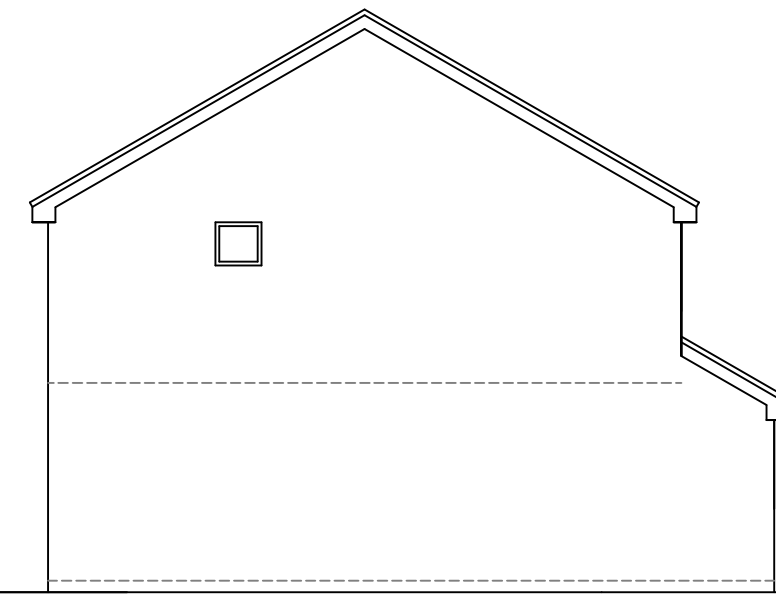
EXISTING FRONT ELEVATION



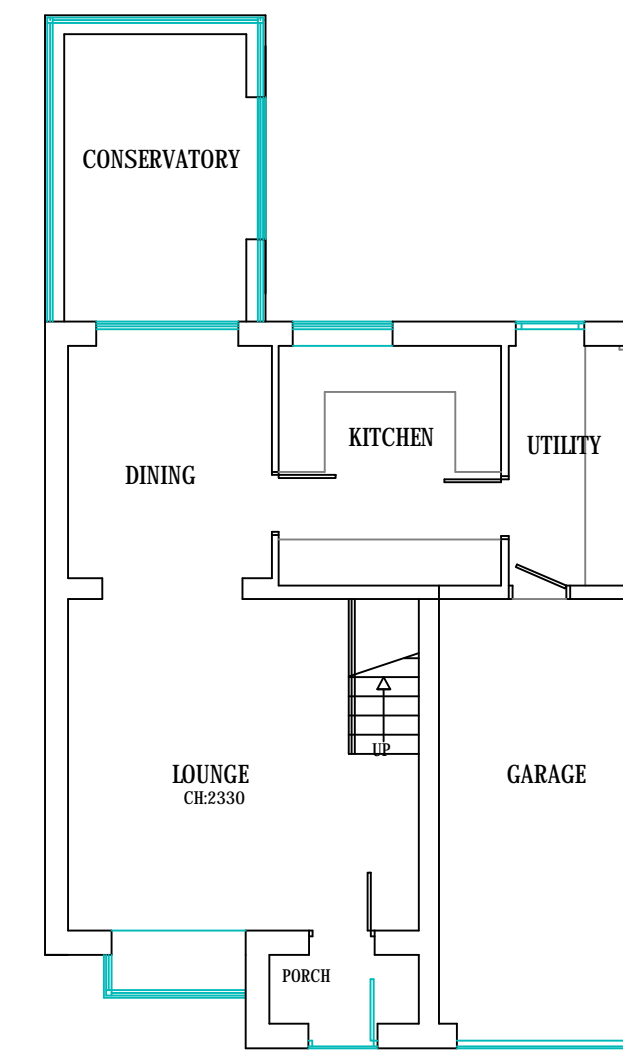
EXISTING SIDE ELEVATION



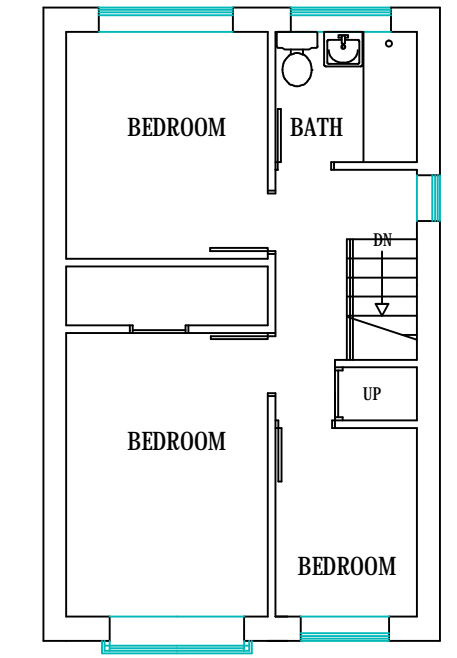
EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION



EXISTING GROUND FLOOR PLAN



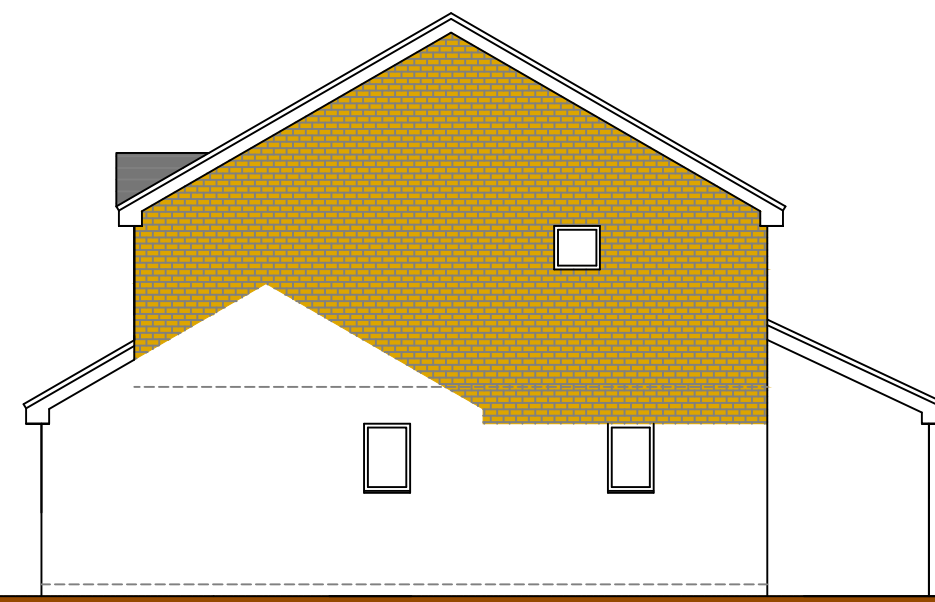
EXISTING FIRST FLOOR PLAN

MATERIALS:

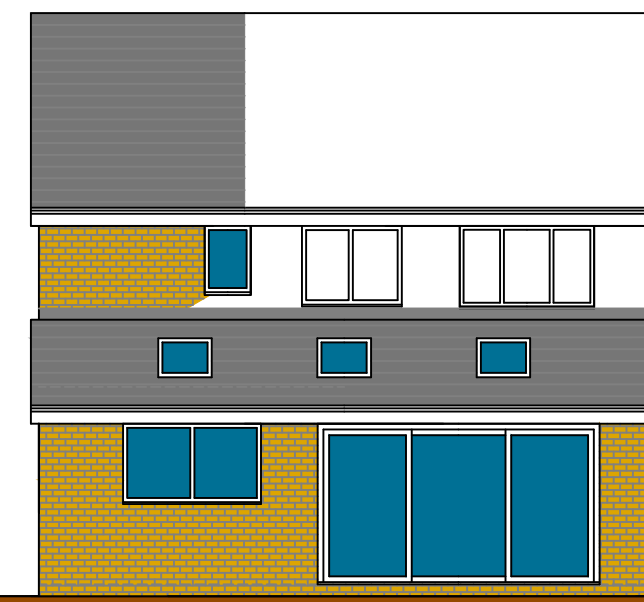
- ROOF MATERIALS TO MATCH EXISTING
- BRICKWORK TO MATCH EXISTING
- NEW UPVC WINDOWS



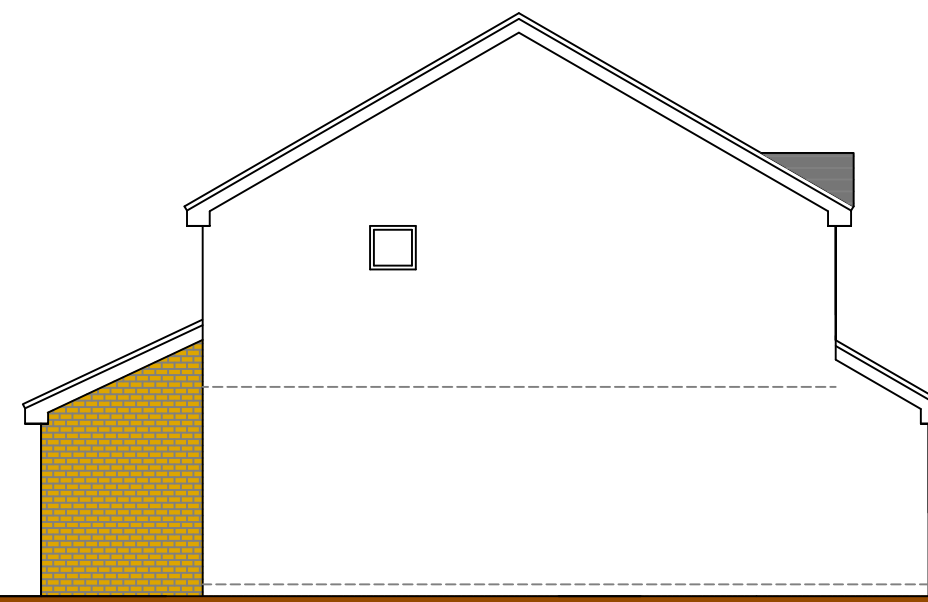
PROPOSED FRONT ELEVATION



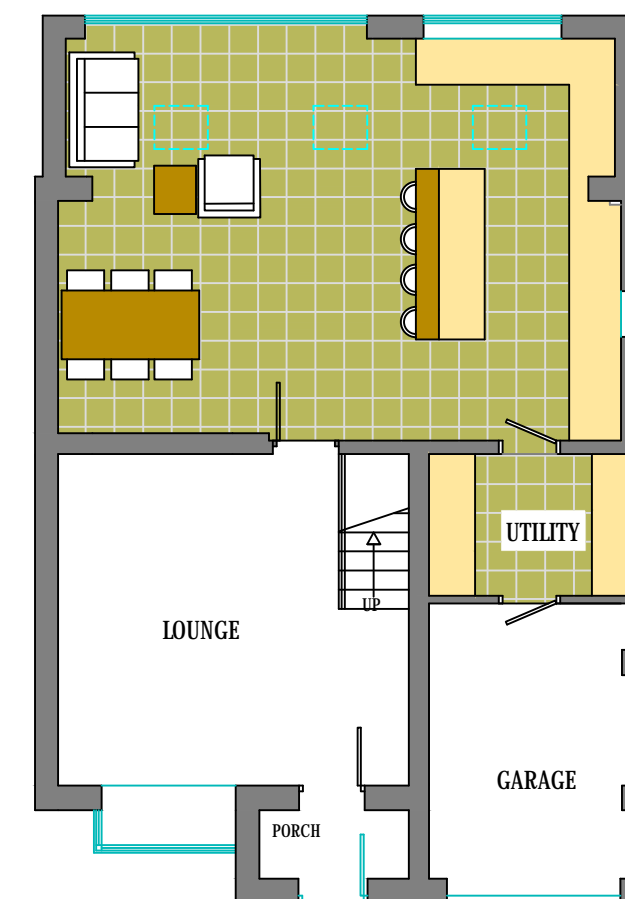
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

REV.	DESCRIPTION	DATE
A	FIRST FLOOR BAY OMITTED	MAY.22


 Tel: 01457 838801
 Mobile: 07967 233507
 Fax: 01457 838801
 email: pharchitecture@aol.com
 7 Larkwood Close, Carrbrook,
 Stalybridge, Cheshire, SK15 3NL.

Drawing Number, 021/SCB/P1	Date MARCH.21
Revision, A	Scale, A1@1:100

Drawing / Job Title,
**PROPOSED SIDE FIRST FLOOR EXTENSION
EXISTING & PROPOSED PLANS**

Client,
**MR & MRS KEYZER, 22 CHURCHBANK,
STALYBRIDGE,
SK15 2QJ**

This page is intentionally left blank



HERITAGE
Quality Windows,
Doors, Canopy's

MULLANEY CONCRETE
0145783 2870

TOPLITE
STANDARD

TOPLITE
STANDARD



TARMAC
TOPLITE
STANDARD

TARMAC
TOPLITE
STANDARD

TARMAC
TOPLITE
STANDARD

TARMAC
TOPLITE
STANDARD













Appeal Decision

Site visit made on 10 May 2022

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 June 2022

Appeal Ref: APP/G4240/Z/22/3293550

Advertising right adjacent 47 Clarendon Place, Hyde SK14 2ND

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/01306/ADV, dated 28 October 2021, was refused by notice dated 12 January 2022.
 - The advertisement proposed is replacement of previously in place poster to digital equivalent poster.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Regulations¹ require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach. I have taken account of the policies the Council considers to be relevant to this appeal insofar as they relate to amenity and public safety.

Main Issue

3. The main issue is the effect of the proposed advertisement on amenity and public safety.

Reasons

Amenity

4. The appeal site relates to the gable end of a two-storey terraced property, on the junction with Mottram Road, Clark Way and Union Street. The site directly faces the junction and is prominently located. The area is characterised by both residential and commercial properties with the town centre and Clarendon Place Shopping Centre adjacent, Morrisons superstore is towards the east and a drive thru KFC towards the west/south.
5. The proposed advertisement would replace a former advert. However, as I observed at the time of the site visit there was no existing externally lit hoarding with only two relatively small advertisements in place relating to the carpet shop, on the gable wall. Nonetheless, the proposed advertisement would

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

- be internally illuminated with a large digital display screen and would be sited in a similar position to that what was in situ in previous years.
6. The appellant advises that the proposed 'D-poster' would be controlled by light sensors to vary brightness and luminance levels throughout the day with digital static images sent electronically to the screen. The frequency of the advertisement on display would be once every ten seconds, take place instantly with no sequencing, fading, flashing or other effects. Luminance levels for both night and daytime would be in accordance with the Institute of Lighting Professionals best practice guide².
 7. Despite the proposed advertisement replacing an existing hoarding and being of similar proportions. The digital advertisement would still be of a substantial size and positioned prominently at a higher level on the side elevation of the property with multiple viewing angles in and around the site. It would be seen from both long- and short-range views when approaching from the westbound/northbound along Mottram Road and Union Street, by vehicles, residents and visitors to the area.
 8. The existing commercial advertisements on premises in the vicinity of the site are modest in size, with signage being both internally and externally illuminated. Therefore, whilst I accept that some of the signage is illuminated, and of variety there are no digital screens within the immediate area. Even with the illumination levels restricted during the hours of darkness, the proposed digital screen would introduce a large, permanent illumination that would draw the eye when passing and would appear conspicuous in the context of the character of the immediate area, particularly at the junction which is a busy intersection.
 9. I recognise that the streetscape is varied and includes a range of residential and commercial properties along Clarendon Place, Mottram Road and Union Road. Nonetheless, the proposed advertisement would be clearly discernible in views, exacerbated by its digital screen presence and located in an area where there is no presence of large-scale advertising hoardings or digital screens. Therefore, it would result in an obtrusive and incongruous addition which would be visually harmful to the amenity of the immediate and wider vicinity of the street scene.
 10. I do not consider that the 'fact' a previous advert had been in situ for a long period justifies the harm that would be caused by the proposed digital screen advertisement. Particularly as the previous advert was not internally illuminated. Notwithstanding, that it was externally lit some years ago, this was not the case when I visited the site. Therefore, I do not consider that the level of illumination or height is comparable or a 'like for like' between the previous advert to be replaced and the proposal.
 11. Consequently, I conclude that due to its siting, design, height and type of illumination, the proposed advertisement would have a significant adverse effect on the amenity of the area. It would be contrary to Policy C1 of the Tameside Unitary Development Plan, 2004, in so far as that policy seeks to protect the amenity of the surrounding area.

² The Brightness of Illuminated Advertisements PLG05 2015

Public Safety

12. The PPG³ advises that advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. This includes, junctions, pedestrian crossings or other places where local conditions present traffic hazards.
13. Advertisements which may cause danger to road users are those which obstruct or impair sightlines, at a junction, those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic signal, or would be likely to distract road-users because of their unusual nature; Internally illuminated signs (incorporating either flashing or static lights) including those utilising light emitting diode technology, where the means of illumination is directly visible from any part of the road, cause confusion with traffic lights, result in glare and dazzle or distraction.
14. The proposed advertisement due to the scale, siting and method of illumination would be a distraction for westbound/northbound traffic from Union Street and Mottram Road. It would be a prominent visual feature at a high level, attracting the attention of motorists on approach to the junction and pedestrian crossings. At which point those drivers would have to interpret traffic signals, make decisions about their direction of travel and accommodate other motorists entering or leaving the signalised junction, as well as being vigilant to pedestrians crossing the roads. Furthermore, it would be directly within the sight line of the primary and secondary signals which are immediately in front of the siting of the proposed advertisement.
15. Therefore, the proposed advertisement, would be overly distracting, hindering the interpretation of the traffic light signals, causing glare and dazzle, and reducing driver vigilance of pedestrians using the crossing. This would be dangerous for any driver on junction approach or pedestrians using the crossings at the junction and would not be in the best interests of highway safety.
16. I acknowledge that there has been previous signage in proximity to the highway, but this was not a digital screen or internally illuminated. I do not consider the KFC adverts are comparable and the advertisement would be seen in context of these to highway users, particularly as those adverts are not directly facing the junction, oncoming traffic or pedestrian crossings. Neither does having only one digital sign at the site, Clarendon Place limitations on west traffic or the reliance of anyone exercising a reasonable standard of care justify the siting of an illuminated digital advertisement which causes a distraction and would cause danger to all road users.
17. Taking the above points together, I conclude the proposed advertisement would be a prominent feature and it would result in a distraction for users of the highway and would have a significant detrimental impact on public safety. This would be contrary to the provisions of the Framework and the guidance within the PPG, which seek to control advertisements in the interests of public safety.

³ Paragraph: 067 Reference ID: 18b-067-20140306 Revision date: 06 03 2014, Paragraph: 068 Reference ID: 18b-068-20140306 Revision date: 06 03 2014

Other Matters

18. The appellant has suggested a number of conditions to minimise the impact of the advertisement, including limiting luminance levels, no moving images or flashing lights and restricting the hours of use. However, I am not persuaded that such conditions would be sufficient to overcome the harm I have identified to amenity or public safety.
19. In support of the appeal, I have been referred to examples in Warrington and Manchester. However, I have limited details of these and on the basis of the photographs I cannot be certain that they are directly comparable to the appeal proposal or its site-specific and locational context. In any case, I have considered the proposal in respect of national planning policy and the evidence before me.
20. The appellant has raised the matter of residential amenity, and there would be no impact to the living conditions of nearby residents. Whilst this may be the case, the Council did not include this as a reason for refusal and the factors relevant to this appeal relate to 'visual' amenity and public safety. I have considered the appeal on this basis, and as set out in the definitions in the PPG.

Conclusion

21. For the reasons given above, the proposed advertisement would harm amenity of the surrounding area and it would present a significant risk to public safety. Therefore, the appeal should be dismissed.

K A Taylor

INSPECTOR